

Schock, Aaron

October 6, 2011

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

- - - - -X
COMMITTEE FOR A FAIR AND BALANCED :
MAP, JUDY BIGGERT, ROBERT J. DOLD, :
RANDY HULTGREN, ADAM KINZINGER, :
DONALD MANZULLO, PETER J. ROSKAM, :
BOBBY SCHILLING, AARON SCHOCK, :
JOHN M. SHIMKUS, JOE WALSH, RALPH :
RANGEL, LOU SANDOVAL, LUIS :Case No. 1:11-cv-05065
SANABRIA, MICHELLE CABALLERO, :
EDMUND BREZINSKI, and :
LAURA WAXWEILER, :
Plaintiffs, :
v. :
ILLINOIS STATE BOARD OF ELECTIONS, :
WILLIAM M. MCGUFFAGE, :
JESSE R. SMART, BRYAN A. SCHNEIDER, :
BETTY J. COFFRIN, HAROLD D. BYERS, :
JUDITH C. RICE, CHARLES W. SCHOLZ, :
and ERNEST L. GOWEN, :
Defendants. :

- - - - -X
Washington, D.C.
Thursday, October 6, 2011

Videoconference Deposition of AARON
SCHOCK, a witness herein, called for examination by
counsel for Defendants, in the above-entitled matter,
pursuant to notice, the witness being duly sworn by

SUSAN L. CIMINELLI, a Notary Public in and for the
District of Columbia, taken at the offices of Mayer
Brown, LLP, 1999 K Street, N.W., Washington, D.C., at
3:36 p.m., and the proceedings being taken down by
Stenotype by SUSAN L. CIMINELLI, CRR, RPR.



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| <p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 On behalf of the Plaintiffs:</p> <p>4 THOMAS V. PANOFF, ESQ.</p> <p>5 GRETCHEN HELFRICH, ESQ. (Via video)</p> <p>6 Mayer Brown, LLP</p> <p>7 71 South Wacker Drive</p> <p>8 Chicago, IL 60606-4637</p> <p>9 (312) 701-8821</p> <p>10 tpanoff@mayerbrown.com</p> <p>11 ghelfrich@mayerbrown.com</p> <p>12</p> <p>13 On behalf of the Defendants: (Via video)</p> <p>14 DEVON C. BRUCE, ESQ.</p> <p>15 Power, Rogers & Smith</p> <p>16 70 West Madison, Suite 5500</p> <p>17 Chicago, IL 60602</p> <p>18 (312) 827-6109</p> <p>19 dbruce@prslaw.com</p> <p>20</p> <p>21</p> <p>22</p> | <p style="text-align: right;">Page 4</p> <p>1 PROCEEDINGS</p> <p>2 Whereupon,</p> <p>3 AARON SCHOCK,</p> <p>4 was called as a witness by counsel for Defendants,</p> <p>5 and having been duly sworn by the Notary Public, was</p> <p>6 examined and testified as follows:</p> <p>7 (Schock Exhibit No. 1 was marked for</p> <p>8 identification.)</p> <p>9 EXAMINATION BY COUNSEL FOR DEFENDANTS</p> <p>10 BY MR. BRUCE:</p> <p>11 Q. Let the record reflect that this is the</p> <p>12 deposition of Congressman Aaron Schock taken pursuant</p> <p>13 to the Federal Rules of Civil Procedure noticed by</p> <p>14 the defendants in this case and continued by the</p> <p>15 parties. Sir, could you please state your first and</p> <p>16 last name, and spell your last name for the record,</p> <p>17 please?</p> <p>18 MR. PANOFF: Devon, before we do that, why</p> <p>19 don't we introduce counsel for the record. Tom</p> <p>20 Panoff for Mayer Brown on behalf of plaintiff and the</p> <p>21 witness, and also with us, Gretchen Helfrich, who is</p> <p>22 with us in our Chicago office. Go ahead,</p> |
| <p style="text-align: right;">Page 3</p> <p>1 CONTENTS</p> <p>2 AARON SCHOCK EXAMINATION</p> <p>3 By Mr. Bruce 4</p> <p>4</p> <p>5 EXHIBITS</p> <p>6 SCHOCK EXHIBIT NO. PAGE NO.</p> <p>7 Exhibit 1 - Deposition Exhibits 4</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> | <p style="text-align: right;">Page 5</p> <p>1 Congressman.</p> <p>2 THE WITNESS: Aaron Schock, S-C-H-O-C-K.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. Congressman, my name is Devon Bruce and I</p> <p>5 have been appointed as a special assistant to the</p> <p>6 Illinois Attorney General to defend the defendants in</p> <p>7 this case that you have brought. And you have been</p> <p>8 disclosed as a witness in this case which is why I'm</p> <p>9 taking your deposition here today.</p> <p>10 If at any time, you don't understand a</p> <p>11 question that I ask, just tell me, and I'll be happy</p> <p>12 to rephrase it. It's important that you answer out</p> <p>13 loud and audibly for the court reporter, even though</p> <p>14 I can see a nod of the head or shrug of the</p> <p>15 shoulders. If at any time, you don't understand a</p> <p>16 question I ask, just tell me and I'll be happy to</p> <p>17 rephrase it.</p> <p>18 Congressman, I don't have any doubts that</p> <p>19 the vast majority of my questions you're going to</p> <p>20 anticipate before I finish asking them, but we have</p> <p>21 to wait until I finish asking my question before you</p> <p>22 begin your answer. Otherwise we are going to be</p> |

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| <p style="text-align: right;">Page 6</p> <p>1 talking over one other. Okay?</p> <p>2 A. Fair enough.</p> <p>3 Q. Congressman, let me just get some general</p> <p>4 background information, if I could, please. Tell me,</p> <p>5 have you ever given a deposition before?</p> <p>6 A. Not that I'm aware of. No.</p> <p>7 Q. It would be --</p> <p>8 A. Yeah. I don't -- not like this. If I've</p> <p>9 ever been deposed, I don't know it. No. I've not.</p> <p>10 Q. And what about trial testimony. Have you</p> <p>11 ever given any trial testimony of any type?</p> <p>12 A. The only -- the only courtroom that I can</p> <p>13 recall being in was in a small claims court a long</p> <p>14 time ago when I was 18. So I don't remember anything</p> <p>15 other than -- I've done my best to stay out of court.</p> <p>16 Q. Well, in this case, you chose to walk into</p> <p>17 court, so that's -- that's why we are here today. So</p> <p>18 Congressman, I'm not asking your specific home</p> <p>19 address, but you're currently residing where, in</p> <p>20 Peoria?</p> <p>21 A. Peoria, Illinois.</p> <p>22 Q. Okay. And your address where you</p> | <p style="text-align: right;">Page 8</p> <p>1 you Googled me.</p> <p>2 Q. Actually, well --</p> <p>3 A. I can do this. 2001, I served on the</p> <p>4 school board for four years. So that would have put</p> <p>5 it at 2005. In 2004, I was elected to the state</p> <p>6 legislature and I served coterminously as the school</p> <p>7 board president and as an Illinois state legislator</p> <p>8 from January of 2005 until I stepped down as the</p> <p>9 school board president in July of 2005.</p> <p>10 I continued serving as the State</p> <p>11 Representative for that term, was re-elected and</p> <p>12 served, you know, again elected as a State Rep. in</p> <p>13 2004, sworn in as a State Rep. in 2005, served four</p> <p>14 years until my election to Congress in 2008 when I</p> <p>15 was sworn in in 2009. I had to step down, resign as</p> <p>16 a State Representative two weeks early to begin my</p> <p>17 U.S. Congress term in January of 2009.</p> <p>18 Q. And have you made any public announcement</p> <p>19 as to what your intent is in the future with respect</p> <p>20 to running for public office as of today's date?</p> <p>21 A. Yes. I'm running for Congress in the 18th</p> <p>22 Congressional District. The 18th Congressional</p> |
| <p style="text-align: right;">Page 7</p> <p>1 currently reside, do you plan on staying at that</p> <p>2 address for the next two years?</p> <p>3 A. Yes. I have no plans.</p> <p>4 Q. Or do you plan --</p> <p>5 A. I have no plans to move.</p> <p>6 Q. Okay. And is that home that you're living</p> <p>7 in today, is that home currently located in the new</p> <p>8 18th Congressional District that was passed in</p> <p>9 Springfield?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And you currently live in the old</p> <p>12 18th Congressional District, is that correct?</p> <p>13 A. Correct. Yes.</p> <p>14 Q. Okay. Let me just quickly go through some</p> <p>15 background. Your first elected office was what, sir?</p> <p>16 A. To the Peoria School Board.</p> <p>17 Q. Okay.</p> <p>18 A. The Peoria Board of Education.</p> <p>19 Q. You did that from what period of time to</p> <p>20 what period of time?</p> <p>21 A. I was a candidate in 2000. I was elected</p> <p>22 in 2001. But you probably should have all this if</p> | <p style="text-align: right;">Page 9</p> <p>1 District is the district I represent today. It is</p> <p>2 the district that -- I mean, no matter what happens,</p> <p>3 I will be a candidate in the 18th Congressional</p> <p>4 District because under the map that was presented as</p> <p>5 a more fair and balanced map, it's considered the</p> <p>6 18th Congressional District. Under the map that the</p> <p>7 Democrat legislature passed, it's considered the 18th</p> <p>8 Congressional District where I live. So in either</p> <p>9 case, I would circulate petitions and run in the 18th</p> <p>10 Congressional District.</p> <p>11 Q. Now, the map that was passed into law by</p> <p>12 the Illinois legislature and signed by the Governor</p> <p>13 with respect to that map, does that 18th</p> <p>14 Congressional District place you with any other</p> <p>15 current sitting United States Congressmen or</p> <p>16 Congresswomen?</p> <p>17 A. No.</p> <p>18 Q. Has any current United States Congressman</p> <p>19 publicly announced that they would vote -- or strike</p> <p>20 that. Has any current United States Congressman</p> <p>21 indicated that they would be running against you in</p> <p>22 the 18th Congressional District?</p> |

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|---|---|
| <p style="text-align: right;">Page 10</p> <p>1 A. No.</p> <p>2 MR. PANOFF: Objection. Foundation.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. Yes. I think I said if there was a public</p> <p>5 announcement. You're not aware, Congressman of any</p> <p>6 public announcement by any sitting United States</p> <p>7 Congressman that has indicated that they will be</p> <p>8 running against you, is that true?</p> <p>9 A. No. I'm not aware of anyone who is a</p> <p>10 United States Congressman announcing that they are</p> <p>11 going to run against me in the 18th Congressional</p> <p>12 District.</p> <p>13 Q. Congressman, did you have any involvement</p> <p>14 at all in drawing the congressional district map that</p> <p>15 was passed into law in Springfield?</p> <p>16 MR. PANOFF: Object to the form. Go ahead</p> <p>17 and answer.</p> <p>18 THE WITNESS: No.</p> <p>19 BY MR. BRUCE:</p> <p>20 Q. At any time during the redistricting</p> <p>21 process, did you speak to any Illinois state</p> <p>22 legislator regarding the congressional map that was</p> | <p style="text-align: right;">Page 12</p> <p>1 my -- about the map. About my district, what perhaps</p> <p>2 could happen.</p> <p>3 But again, no specific -- nothing</p> <p>4 specific, I would say, with anyone of authority that</p> <p>5 would be drawing the lines.</p> <p>6 Q. Did you know -- well, strike that. Do you</p> <p>7 know whether there were any Republican State</p> <p>8 Representatives that were on the House, Illinois</p> <p>9 House Redistricting Committee?</p> <p>10 A. I don't know that. I actually don't know.</p> <p>11 I mean, I think they had a -- I don't know.</p> <p>12 Q. Okay. Do you know whether there were any</p> <p>13 Republican Senate members of the Illinois State</p> <p>14 Senate Redistricting Committee, do you know one way</p> <p>15 or the other?</p> <p>16 A. If I were pressed to answer, I would say</p> <p>17 that I think they had Republicans and Democrats on a</p> <p>18 committee. My view of that was that that committee</p> <p>19 really didn't do much other than have hearings</p> <p>20 because at the end of the day, they were having</p> <p>21 hearings all through May. I think they maybe had one</p> <p>22 in Peoria. I remember reading one in my local</p> |
| <p style="text-align: right;">Page 11</p> <p>1 passed into law?</p> <p>2 A. Well, any Illinois legislator? Obviously</p> <p>3 after the election in November of last year when it</p> <p>4 became apparent who was going to control the House,</p> <p>5 the Senate and the Governorship, there was a lot of</p> <p>6 speculation among members of Congress, as well as</p> <p>7 State Reps. and State Senators as to what a</p> <p>8 Democratic House, Senate and Governor would do in</p> <p>9 terms of drawing a map.</p> <p>10 So I know that I had multiple</p> <p>11 conversations with people who are in the state</p> <p>12 legislature about the map process. But if you're</p> <p>13 speaking, did I -- was I privy to any insider</p> <p>14 discussion or people who were actually drawing the</p> <p>15 map, the answer would be no.</p> <p>16 But as a member of Congress, I interact</p> <p>17 with the roughly seven or eight State Representatives</p> <p>18 roughly four State Senators who make up my</p> <p>19 congressional district on at least a monthly basis,</p> <p>20 meetings in my office when we are talking about</p> <p>21 projects and issues relative to my district. And so</p> <p>22 I would have conversations with them obviously about</p> | <p style="text-align: right;">Page 13</p> <p>1 newspaper, they had one near me.</p> <p>2 And -- but in the same time, I continued</p> <p>3 to hear from my colleagues in the legislature that</p> <p>4 the map was being drawn, and shortly thereafter at</p> <p>5 the end of May, the map came out and there were</p> <p>6 promised hearings where public comment would be able</p> <p>7 to be made once the map was released and that never</p> <p>8 came to fruition.</p> <p>9 So I don't remember who was on the</p> <p>10 committee or I want to say Kwame Raoul was the</p> <p>11 chairman of the Senate committee maybe or something.</p> <p>12 I know him because I served with him. He took</p> <p>13 President Obama's seat in the statehouse, or in the</p> <p>14 State Senate, but I can't give you any names of</p> <p>15 anybody on those committees. I never attended any of</p> <p>16 their hearings and that's all I know.</p> <p>17 Q. Based on that answer, I've got a follow-up</p> <p>18 up on a couple of points. First of all, I think we</p> <p>19 digressed. I was just asking you whether or not you</p> <p>20 were aware of any Republicans on the State Senate</p> <p>21 Redistricting Committee. And from what I understand,</p> <p>22 you're saying, you don't know of any?</p> |

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| Page 14 | Page 16 |
|---|--|
| <p>1 A. No.</p> <p>2 Q. Is that correct?</p> <p>3 A. No.</p> <p>4 Q. Okay. Did you ever -- strike that. Did</p> <p>5 you have any conversations that you can recall having</p> <p>6 with any members of the Illinois legislators who were</p> <p>7 on the state redistricting committees, whether it be</p> <p>8 the House or the Senate?</p> <p>9 A. Well, since I can't tell you who was on</p> <p>10 the committee, I can't tell you whether I had any</p> <p>11 conversations with them. But if I talked to any</p> <p>12 State Representative or State Senator about this</p> <p>13 whole process, I never knew they were on the state</p> <p>14 committee.</p> <p>15 Q. I understand. And I think you answered</p> <p>16 the question. You were aware that there were State</p> <p>17 Redistricting Committee meetings being held within</p> <p>18 your congressional district while the process was</p> <p>19 ensuing, is that true?</p> <p>20 MR. PANOFF: Objection. Mischaracterizes</p> <p>21 testimony.</p> <p>22 MR. BRUCE: Wait a minute. I'm sorry.</p> | <p>1 my newspapers, and I do remember reading one of the</p> <p>2 stories in the paper about a redistricting hearing</p> <p>3 taking place somewhere in my district. And I think</p> <p>4 it was in Peoria. If it wasn't in Peoria, it would</p> <p>5 have been in East Peoria, Pekin, somewhere that the</p> <p>6 Peoria Journal Star would have covered it, but that's</p> <p>7 what I recall.</p> <p>8 BY MR. BRUCE:</p> <p>9 Q. Were you aware one way or the other</p> <p>10 whether there were any websites for the House --</p> <p>11 Illinois House Redistricting Committee?</p> <p>12 A. No.</p> <p>13 Q. Were you aware one way or the other</p> <p>14 whether there was any websites for the Illinois State</p> <p>15 Senate Redistricting Committee?</p> <p>16 A. No.</p> <p>17 Q. Suffice it to say, Congressman, you did</p> <p>18 not personally attend any Illinois Redistricting</p> <p>19 Committee meetings, is that true?</p> <p>20 A. Correct.</p> <p>21 Q. And did you ever at any time send any</p> <p>22 representative or counsel to any Illinois</p> |
| Page 15 | Page 17 |
| <p>1 Your lawyer objected, so I have to rephrase the</p> <p>2 question.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. I thought I heard you say that you read in</p> <p>5 the newspaper that there was a Redistricting</p> <p>6 Committee meeting in Peoria. Is that true?</p> <p>7 MR. PANOFF: I believe he testified he</p> <p>8 thought that there might have been, but feel free to</p> <p>9 ask your question.</p> <p>10 BY MR. BRUCE:</p> <p>11 Q. The record speaks for itself. You can</p> <p>12 answer, Congressman.</p> <p>13 MR. PANOFF: Let's read back the question,</p> <p>14 please.</p> <p>15 THE REPORTER: "Question: I thought I</p> <p>16 heard you say that you read in the newspaper that</p> <p>17 there was a Redistricting Committee meeting in</p> <p>18 Peoria. Is that true?"</p> <p>19 THE WITNESS: I was not aware of the</p> <p>20 meetings until they took place. I mean, I did not</p> <p>21 get an invitation. I did not read a formal notice.</p> <p>22 I get clips out here as a member of Congress from all</p> | <p>1 Redistricting Committee meetings?</p> <p>2 A. No.</p> <p>3 Q. When did you first hire counsel with</p> <p>4 respect to any issue concerning the redistricting of</p> <p>5 the Congressional map?</p> <p>6 A. It would have been late last year, early</p> <p>7 this year. I'm not -- do not recall the specific</p> <p>8 date.</p> <p>9 Q. Can you tell me the month?</p> <p>10 A. Late, I mean December, January.</p> <p>11 Q. Either December 2010 or January 2011 is</p> <p>12 your best recollection as to when you first hired</p> <p>13 counsel with respect to redistricting? Is that true?</p> <p>14 A. Correct. Yes.</p> <p>15 Q. And what was the -- what was the name of</p> <p>16 the lawyer that you hired or lawyers?</p> <p>17 A. Mayer Brown.</p> <p>18 Q. And can you tell me the name of the lawyer</p> <p>19 that you dealt with in December of 2010 and January</p> <p>20 2011?</p> <p>21 MR. PANOFF: He is only asking for the</p> <p>22 name, to the extent you remember.</p> |

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| <p style="text-align: right;">Page 18</p> <p>1 THE WITNESS: Well, I don't -- I mean, I</p> <p>2 don't even know. I mean, I don't -- I don't know who</p> <p>3 we -- I mean, Tom. I don't know if -- you know,</p> <p>4 we've had what, a couple of attorneys that have</p> <p>5 worked with us. So I mean, it wasn't like there was</p> <p>6 a formal --</p> <p>7 MR. PANOFF: I'll caution you not to</p> <p>8 divulge any of the content of any of the discussions.</p> <p>9 He is just asking you if you remember any of the</p> <p>10 names of the attorneys you met with. If you don't,</p> <p>11 you don't. If you do, tell him.</p> <p>12 THE WITNESS: Well, Ty Fahner is one that</p> <p>13 I probably talked to the most at the beginning</p> <p>14 because -- so I would say Ty Fahner.</p> <p>15 BY MR. BRUCE:</p> <p>16 Q. Okay. And did any lawyer on your behalf</p> <p>17 at any time submit any proposals, drafts, suggestions</p> <p>18 or input to the Illinois redistricting committees</p> <p>19 that were drawing the map?</p> <p>20 MR. PANOFF: That can be answered yes or</p> <p>21 no, to the best of your knowledge.</p> <p>22 THE WITNESS: To the best of my knowledge,</p> | <p style="text-align: right;">Page 20</p> <p>1 prior testimony.</p> <p>2 THE WITNESS: I'm not aware of any</p> <p>3 opportunity for my legal representation to submit an</p> <p>4 alternative map prior to the legislature acting.</p> <p>5 BY MR. BRUCE:</p> <p>6 Q. Okay. That wasn't my question, though.</p> <p>7 Did you -- did you understand that the Illinois</p> <p>8 legislature was in the process of redrawing</p> <p>9 congressional district lines?</p> <p>10 A. Yes.</p> <p>11 Q. And you knew that before the map was</p> <p>12 passed into law, true?</p> <p>13 A. Correct.</p> <p>14 Q. Did you ever yourself make any effort to</p> <p>15 appear before any of the committees that were drawing</p> <p>16 the map?</p> <p>17 MR. PANOFF: Are you asking whether he did</p> <p>18 personally or through his attorneys?</p> <p>19 MR. BRUCE: I think my question is very</p> <p>20 clear. Ma'am, can I have it back, please?</p> <p>21 THE REPORTER: "Question: Did you ever</p> <p>22 yourself make any effort to appear before any of the</p> |
| <p style="text-align: right;">Page 19</p> <p>1 no.</p> <p>2 BY MR. BRUCE:</p> <p>3 Q. And there was nothing precluding your</p> <p>4 lawyers from providing suggestions or draft maps or</p> <p>5 any input, to your knowledge, is that true?</p> <p>6 MR. PANOFF: Object to the form. Again,</p> <p>7 to the extent you know.</p> <p>8 THE WITNESS: I would have no knowledge</p> <p>9 because as I mentioned earlier in my testimony, I'm</p> <p>10 not familiar with this process that you speak of that</p> <p>11 took place until I read about a meeting that took</p> <p>12 place in my district after the fact. So I'm not</p> <p>13 familiar with --</p> <p>14 BY MR. BRUCE:</p> <p>15 Q. I'm sorry. I didn't mean to interrupt</p> <p>16 you, Congressman. Go ahead.</p> <p>17 A. No. That's it.</p> <p>18 Q. Okay. Well, are you suggesting that you</p> <p>19 did not know that the Illinois legislature was going</p> <p>20 through a process to redraw, among other things, the</p> <p>21 Congressional map before it was actually drawn?</p> <p>22 MR. PANOFF: Objection. Mischaracterizes</p> | <p style="text-align: right;">Page 21</p> <p>1 committees that were drawing the map?"</p> <p>2 MR. PANOFF: Object to the form. And to</p> <p>3 the extent it's calling for anything regarding the</p> <p>4 conduct of attorneys, I'll instruct you not to answer</p> <p>5 as to the conduct of attorneys and communications</p> <p>6 with the attorneys.</p> <p>7 THE WITNESS: No. I did not.</p> <p>8 BY MR. BRUCE:</p> <p>9 Q. All right. Well, your lawyer has now</p> <p>10 brought up an excellent point. So now that he has,</p> <p>11 I'm glad that he has, and we'll get into it. Did</p> <p>12 Mayer Brown & Platt ever appear at any time at any of</p> <p>13 the redistricting committee meetings on your behalf?</p> <p>14 MR. PANOFF: Object to the form.</p> <p>15 Foundation. Calls for speculation. To the extent</p> <p>16 you know, feel free to answer.</p> <p>17 THE WITNESS: Not that I'm aware.</p> <p>18 BY MR. BRUCE:</p> <p>19 Q. All right. Did Mayer Brown & Platt ever</p> <p>20 forward any maps to the Illinois Redistricting</p> <p>21 Committee on your behalf, to your knowledge?</p> <p>22 MR. PANOFF: Object to the form.</p> |

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| <p style="text-align: right;">Page 22</p> <p>1 Foundation. Calls for speculation.</p> <p>2 THE WITNESS: Not that I'm aware of.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. Yeah. I don't want you to speculate on</p> <p>5 any of this. I would believe that as a sitting U.S.</p> <p>6 Congressman, if some law firm on your behalf sent a</p> <p>7 map to Springfield, that you would be aware of it.</p> <p>8 That's why I'm asking you. That wasn't done?</p> <p>9 MR. PANOFF: That was a nice speech, but</p> <p>10 let's stick to asking questions. If you have a</p> <p>11 question, ask your question.</p> <p>12 MR. BRUCE: Tom, you keep interrupting me.</p> <p>13 Because of your objections, I'm having to ask</p> <p>14 follow-up questions and frankly, I don't think that</p> <p>15 your objections are meritorious, but we'll keep going</p> <p>16 and try to get through this.</p> <p>17 MR. PANOFF: They have been perfectly</p> <p>18 appropriate objections to inappropriate questions.</p> <p>19 If you have appropriate questions, feel free to ask</p> <p>20 them.</p> <p>21 BY MR. BRUCE:</p> <p>22 Q. All right. Congressman, are you aware of</p> | <p style="text-align: right;">Page 24</p> <p>1 with the form?</p> <p>2 MR. PANOFF: It's vague.</p> <p>3 MR. BRUCE: Can I have the question back,</p> <p>4 madam court reporter?</p> <p>5 THE REPORTER: "Question: Did you ever</p> <p>6 yourself make any inquiry to determine whether or not</p> <p>7 you could provide input to the Illinois Redistricting</p> <p>8 Committee as to how the Congressional lines were</p> <p>9 going to be drawn?"</p> <p>10 BY MR. BRUCE:</p> <p>11 Q. Congressman, do you understand that</p> <p>12 question?</p> <p>13 A. Well, I do, but if I can say, how do I</p> <p>14 inquire into a process that I'm not aware of?</p> <p>15 Q. Could you have called Springfield and</p> <p>16 asked or looked on the Internet as to what the</p> <p>17 process was?</p> <p>18 MR. PANOFF: Object to the form.</p> <p>19 THE WITNESS: Well, sure, I could have,</p> <p>20 but I've already stated clearly earlier that I wasn't</p> <p>21 aware of this process. So if you ask me a hundred</p> <p>22 questions about specifics of the process, I'm going</p> |
| <p style="text-align: right;">Page 23</p> <p>1 anyone on your behalf that appeared and offered any</p> <p>2 input on any Illinois Redistricting Committee?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 THE WITNESS: I am not aware of anyone</p> <p>5 doing that.</p> <p>6 BY MR. BRUCE:</p> <p>7 Q. Are you aware of any rule, regulation or</p> <p>8 guideline of the Illinois Redistricting Committees</p> <p>9 that would have barred your representatives from</p> <p>10 providing input to the redistricting process?</p> <p>11 MR. PANOFF: Object to the form.</p> <p>12 THE WITNESS: As -- I'm not aware of it.</p> <p>13 I'm not, as I mentioned, I am not aware of this whole</p> <p>14 -- I'm not aware of any of the rules or guidelines or</p> <p>15 process to this, so you know -- the answer is no.</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. Did you ever yourself make any inquiry to</p> <p>18 determine whether or not you could provide input to</p> <p>19 the Illinois Redistricting Committee as to how the</p> <p>20 Congressional lines were going to be drawn?</p> <p>21 MR. PANOFF: Object to the form.</p> <p>22 MR. BRUCE: I'm sorry, Tom, what's wrong</p> | <p style="text-align: right;">Page 25</p> <p>1 to have to tell you I'm not aware of anything or</p> <p>2 having done anything, because I'm not familiar with</p> <p>3 the process.</p> <p>4 So I guess -- I mean, I'm trying to be</p> <p>5 helpful here, but no, I'm not aware of anyone doing</p> <p>6 anything on my behalf in that process. I didn't do</p> <p>7 anything in that process, because I was not aware of</p> <p>8 that process. Period.</p> <p>9 BY MR. BRUCE:</p> <p>10 Q. Congressman, were you aware that the</p> <p>11 Illinois legislature was going through a process to</p> <p>12 redraw the congressional district lines before the</p> <p>13 map was passed into law?</p> <p>14 A. No. I mean, I knew that the legislature</p> <p>15 had to draw maps. Okay. But as to what their</p> <p>16 process internally was going to be to do that, I was</p> <p>17 not privy to it.</p> <p>18 Q. Fair enough. And you didn't make any</p> <p>19 inquiry to determine how they were going to do it?</p> <p>20 Is that fair?</p> <p>21 A. That's -- yes.</p> <p>22 Q. Okay. Now, I think I understood your</p> |

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| <p style="text-align: right;">Page 26</p> <p>1 previous testimony with respect to conversations with 2 legislators, and I'm going to try and ask some broad 3 questions so that we can move on to the next topic. 4 If I heard you correctly, you did have conversations 5 during the time period the map process was being 6 developed with Illinois legislators, but nothing 7 specific that you can recall as you sit here today. 8 Is that true?</p> <p>9 A. Correct.</p> <p>10 MR. PANOFF: Object to the form.</p> <p>11 BY MR. BRUCE:</p> <p>12 Q. Well, because your lawyer objected, I have 13 to ask a follow-up question. Can you recall any 14 specific conversations that you've had with any 15 Illinois legislator during the time period that the 16 Illinois legislature was in the process of redrawing 17 the congressional district lines about the 18 redistricting process?</p> <p>19 A. No.</p> <p>20 Q. Am I correct, Congressman, that you have 21 no firsthand knowledge as to the reasons why the 22 congressional district map that was passed into law</p> | <p style="text-align: right;">Page 28</p> <p>1 Springfield because it's in my congressional district 2 and I was at the Capitol, and it was at a time period 3 when the -- it was in May of 2011. And the 4 legislature had -- apparently the Speaker's office, 5 Mike Madigan's office had, I guess, settled their map 6 and they were calling in individual State 7 Representatives to show them their portion of the 8 newly drawn State House map.</p> <p>9 And I was on the floor of the State House 10 talking to my former colleagues and every once in a 11 while one would get a phone call on their cell phone 12 asking them to come up to the Speaker's office. And 13 they were getting to see their new map.</p> <p>14 And the joke was the only people getting 15 called were the ones with really good State House 16 districts. And so when they would get called by the 17 Speaker's office, they would kind of get excited to 18 go into the Speaker's office to see their new map.</p> <p>19 And my understanding was Tim Mapes, the 20 Speaker's chief of staff was the one showing them the 21 map. So I decided to go to the Speaker's office to 22 see perhaps if he had my map. I know Tim Mapes very</p> |
| <p style="text-align: right;">Page 27</p> <p>1 was drawn?</p> <p>2 MR. PANOFF: Object to the form.</p> <p>3 THE WITNESS: Who would -- let me ask you 4 this. Who would be firsthand knowledge? I mean, me 5 and the person with the pen? Me -- I mean, what's -- 6 help me understand what firsthand knowledge is.</p> <p>7 BY MR. BRUCE:</p> <p>8 Q. Sure. I can help you out. Do you know 9 who drew the map?</p> <p>10 MR. PANOFF: You're referring to the map 11 enacted into law?</p> <p>12 MR. BRUCE: Yes, Tom -- I'll agree with 13 that.</p> <p>14 THE WITNESS: I don't know who 15 specifically drew the map. No.</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. Okay. Do you know anyone that was 18 involved in the map making process?</p> <p>19 A. Absolutely. We -- I guess my assumption 20 is the legislative -- I mean -- the only conversation 21 I had relative to the map process was with Michael 22 Madigan's chief of staff, Tim Mapes. And I was in</p> | <p style="text-align: right;">Page 29</p> <p>1 well. Have a good relationship with him. And did it 2 more as a joke, knowing that even if he had it, he 3 probably wouldn't show it to me, but I went to the 4 Speaker's office, told the receptionist that I was 5 there to see Mr. Mapes, that he had called me and 6 asked me to come in to see the map.</p> <p>7 And they looked a little puzzled and said, 8 well, let me check. And then they invited me back 9 and, you know, he said, oh, what honor do I have to 10 have you come in, what do you need. And I said, 11 well, I understand you're passing out maps, I'd like 12 to get mine.</p> <p>13 And he just kind of laughed and said, you 14 know that I'm not drawing your map. And I said, 15 well, come on, you know who's got the map. And -- or 16 you've got to have a copy of the map. And he said, 17 no, he said we are leaving that up to President 18 Cullerton and Steve Israel with the DCCC.</p> <p>19 And so I -- we chatted a little bit more 20 and then I left. But you know, I did not have a 21 conversations with any other legislator that I would 22 consider that close to the time at which the map came</p> |

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| <p style="text-align: right;">Page 30</p> <p>1 out before it did.</p> <p>2 And then the only other legislator I spoke</p> <p>3 with was after the map came out, or actually I think</p> <p>4 the day that it was coming out, the Senate President,</p> <p>5 John Cullerton, called me and basically just gave me</p> <p>6 a heads up that he said, you know, something to the</p> <p>7 effect of, look, Aaron, you know, we've decided that</p> <p>8 we are not going to beat you.</p> <p>9 So we are not going to waste our Democrat</p> <p>10 voters on you, and congratulations, we are giving you</p> <p>11 the most Republican district in the state. And I</p> <p>12 said, well, I suppose I should say thank you and he</p> <p>13 said, well, I was hoping you'd say something kind</p> <p>14 about it, the map.</p> <p>15 And I said, well, having not seen the map,</p> <p>16 I'm assuming that if you -- if you've made my</p> <p>17 district really good, you've probably, you know,</p> <p>18 really done a doozy on my colleagues. And you know,</p> <p>19 I'll want to see what this map looks like. But you</p> <p>20 know -- so those are the two conversations I've had,</p> <p>21 I think of any significance with anyone other than</p> <p>22 casual conversations with individual legislators.</p> | <p style="text-align: right;">Page 32</p> <p>1 any inside information, but only hearing what the</p> <p>2 reporters were writing about what people were</p> <p>3 speculating would happen in the map, the</p> <p>4 redistricting process, the speculation was that</p> <p>5 Peoria was going to be divided for the first time in</p> <p>6 30 years.</p> <p>7 And being from Peoria, that's where I've</p> <p>8 grown up, that's where I live, I think I may have</p> <p>9 said something like, you know, well, what happened to</p> <p>10 Peoria. And -- but he -- and he basically said</p> <p>11 something about, well, you live -- don't worry, you</p> <p>12 live in the district. And I said, I know, but what</p> <p>13 happens to the -- you know, my old State Rep.</p> <p>14 district was the whole downtown of Peoria. And so I</p> <p>15 said something about what happened to my old State</p> <p>16 Rep. district or something like that. But that's the</p> <p>17 only other thing I can recall other than what I've</p> <p>18 already said with that conversation.</p> <p>19 Q. Okay. And was there anything -- did you</p> <p>20 write down any notes with respect to that</p> <p>21 conversation?</p> <p>22 A. No. I was in a car on my cell phone.</p> |
| <p style="text-align: right;">Page 31</p> <p>1 Q. Have you told me everything that you said</p> <p>2 to Mr. Mapes and that Mr. Mapes said to you in that</p> <p>3 conversation regarding the map?</p> <p>4 A. That I -- yes. That I recall.</p> <p>5 Q. I'm sorry. And would there be anything</p> <p>6 that would refresh your recollection of that</p> <p>7 conversation?</p> <p>8 A. No. That's everything that I recall.</p> <p>9 Q. And with respect to President Cullerton</p> <p>10 and the conversation you testified to, have you now</p> <p>11 told us everything that you remember about that</p> <p>12 conversation that he said to you and that you said to</p> <p>13 him?</p> <p>14 MR. PANOFF: Object to the form.</p> <p>15 THE WITNESS: That's all that I recall.</p> <p>16 Yes.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. Is there anything that would refresh your</p> <p>19 recollection about that conversation?</p> <p>20 A. The only thing I guess I would add is I</p> <p>21 was -- I do believe I asked specifically about Peoria</p> <p>22 because a lot of my -- you know, again, not having</p> | <p style="text-align: right;">Page 33</p> <p>1 Q. And did you call him or did he call you?</p> <p>2 A. He called me. He called me on an</p> <p>3 unidentified number and I tend not to answer those so</p> <p>4 I waited until he left a message and I got the</p> <p>5 voicemail and I called him back.</p> <p>6 Q. And you called him back where?</p> <p>7 A. I believe it was his cell phone number.</p> <p>8 Q. And you did that the day the map was</p> <p>9 coming out?</p> <p>10 MR. PANOFF: Objection. Mischaracterizes</p> <p>11 testimony.</p> <p>12 BY MR. BRUCE:</p> <p>13 Q. I'm sorry. When did -- go ahead.</p> <p>14 A. I do not know the exact date, but he was</p> <p>15 calling me with information obviously that I did not</p> <p>16 have and it was right before it came out. So if it</p> <p>17 wasn't the day that it came out, it might have been</p> <p>18 the night before the day that it came out, but I</p> <p>19 would say it was definitely within a 48-hour period</p> <p>20 of that map coming out.</p> <p>21 Q. Have you now told me all of the</p> <p>22 conversations that you can recall as you sit here</p> |

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| <p style="text-align: right;">Page 34</p> <p>1 today with respect to anyone that may have had any</p> <p>2 involvement with actually drawing the map?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 THE WITNESS: Yes.</p> <p>5 BY MR. BRUCE:</p> <p>6 Q. All right. Did anyone at any time ever</p> <p>7 tell you that the congressional district map lines</p> <p>8 were drawn to intentionally discriminate against</p> <p>9 Latinos?</p> <p>10 MR. PANOFF: Object to the form and also,</p> <p>11 Congressman, to the extent it calls for any</p> <p>12 attorney-client communications, I'll instruct you not</p> <p>13 to answer. If you have any independent basis, feel</p> <p>14 free to answer that question.</p> <p>15 THE WITNESS: No.</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. Now, I think we digressed. I was asking</p> <p>18 you if you had any firsthand knowledge as to why</p> <p>19 various lines, congressional lines were drawn with</p> <p>20 respect to the districts. Do you have any such</p> <p>21 knowledge other than what may have been told to you</p> <p>22 by Mr. Mapes or President Cullerton?</p> | <p style="text-align: right;">Page 36</p> <p>1 any statement to the press that it was a completely</p> <p>2 partisan drawn map?</p> <p>3 A. I may have -- what I believe I have said</p> <p>4 is that it was a completely partisan process, meaning</p> <p>5 that when you're a legislator, you talk about</p> <p>6 partisanship meaning one party. So if the Democrats</p> <p>7 control the entire process or if the Republicans</p> <p>8 control the entire process, it's a partisan process.</p> <p>9 So you know, this obviously was a very</p> <p>10 partisan process. It was a partisanly drawn map</p> <p>11 because I'm not aware of any Republican legislator or</p> <p>12 Congressman in Illinois having input into the</p> <p>13 process.</p> <p>14 Q. I'm sorry. I missed that last part. You</p> <p>15 were not aware of any what?</p> <p>16 A. I'm not aware of any Republicans having</p> <p>17 input into the process. In other words, I would</p> <p>18 define it as a partisan process, because -- a</p> <p>19 partisanly drawn map, because there is only one party</p> <p>20 that's been involved and engaged in the process.</p> <p>21 Q. And you're saying that despite knowing or</p> <p>22 not being able to identify any of the Republicans, if</p> |
| <p style="text-align: right;">Page 35</p> <p>1 A. No.</p> <p>2 Q. Have you made any comments to the press</p> <p>3 that you believe the congressional district map was</p> <p>4 drawn purely for partisan reasons?</p> <p>5 MR. PANOFF: Object to the form.</p> <p>6 THE WITNESS: Not that I can recall.</p> <p>7 Well, I don't know. I don't know. Not recently.</p> <p>8 But you may --</p> <p>9 BY MR. BRUCE:</p> <p>10 Q. Congressman, I'll ask you an easier</p> <p>11 question. Let me ask you this. As you sit here</p> <p>12 today, is it your opinion that the congressional</p> <p>13 district map lines that were drawn and passed into</p> <p>14 law in Springfield were drawn for purely partisan</p> <p>15 reasons?</p> <p>16 MR. PANOFF: Object to the form.</p> <p>17 THE WITNESS: I have no idea.</p> <p>18 BY MR. BRUCE:</p> <p>19 Q. Okay.</p> <p>20 A. I have no idea why they were drawn the way</p> <p>21 they were.</p> <p>22 Q. Well, have you ever told anyone or made</p> | <p style="text-align: right;">Page 37</p> <p>1 any, that were on the Senate or House Redistricting</p> <p>2 Committee, is that true?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 THE WITNESS: Well, again, I would say</p> <p>5 that I would question whether or not any bipartisan</p> <p>6 committee had anything to do with the final map.</p> <p>7 BY MR. BRUCE:</p> <p>8 Q. Well, do you know?</p> <p>9 A. As I said --</p> <p>10 MR. PANOFF: Object to the form.</p> <p>11 THE WITNESS: I'm not aware of any</p> <p>12 Republican, State Representative, State Senator or</p> <p>13 Congressman who had anything to do with this map in</p> <p>14 its final form.</p> <p>15 BY MR. BRUCE:</p> <p>16 Q. Have you spoken to any Democratic United</p> <p>17 States Congressman from Illinois or Congresswoman</p> <p>18 either before or after the map was passed regarding</p> <p>19 the map process?</p> <p>20 A. I would characterize most of my</p> <p>21 conversations as -- as informal small talk. I mean,</p> <p>22 when I'm here during the week in Washington, D.C., I</p> |

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| <p style="text-align: right;">Page 38</p> <p>1 see my colleagues from Illinois every day, so you 2 know, I have spoken with Jesse Jackson, Jr. since the 3 map came out because obviously he has made comments 4 publicly about the map. 5 And so, you know, I asked him what his 6 take was. I have a good relationship with my 7 colleagues here on both sides and so -- but you know, 8 nothing in great depth, I would say. More casual. I 9 mean, I didn't have a meeting with anybody in their 10 office and we sat down and went over the map. It was 11 more on the floor passing by. 12 Q. Right. Well, as you sit here today, can 13 you tell me the specifics of any conversation that 14 you had with Congressman Jackson about the map. 15 A. I know that his concern -- I do not 16 remember the exact language, but I know his concern 17 was specific to the dilution of his minority vote. 18 He felt that the legislature's map that they passed 19 unfairly diluted his once -- what he called a, you 20 know, stronghold of African-American votes. So he 21 was upset with the dilution of what his view was a 22 dilution of minority vote in his district.</p> | <p style="text-align: right;">Page 40</p> <p>1 you know, what are you hearing about the map. What 2 do you think of the map. Those kinds of things in 3 passing, but that's the extent of my conversations. 4 BY MR. BRUCE: 5 Q. With respect to your former district, as I 6 understand it, that included only parts of Adams 7 County -- and by former district, I mean the district 8 that you're representing today. 9 A. Correct. 10 Q. All right. And is the newly passed map 11 that was passed in Springfield, does that encompass 12 all of Adams County? 13 A. Yes, it does. 14 Q. And prior to the map being passed, was it 15 your desire that the entire Adams County be included 16 in the 18th Congressional District? 17 MR. PANOFF: Object to the form. 18 THE WITNESS: Well, for what it's worth, 19 my belief is that to the degree a congressional 20 district can include the entire community or an 21 entire county, it's to the betterment of the 22 constituents. So I would say it would be my -- Adams</p> |
| <p style="text-align: right;">Page 39</p> <p>1 Q. And who was present in that -- present in 2 that conversation? 3 A. 434 other members of Congress. 4 Q. So it was on the House floor? 5 A. Yes. We -- yes. I mean, it was either 6 coming in off the floor or coming off the floor. But 7 you don't get a lot of chance to talk for very long 8 so it would have been during one of our series of 9 votes. 10 Q. Was there anything else that he said to 11 you or you said to him about the congressional map 12 other than what you've already told us here today? 13 MR. PANOFF: Object to the form. 14 THE WITNESS: Not that I'm aware of. 15 BY MR. BRUCE: 16 Q. Have you ever spoken to any staff member 17 of the National Republican Party or the National 18 Republican Campaign Committee about the map? 19 MR. PANOFF: Object to the form. 20 THE WITNESS: I have not had any formal 21 meetings that I can recall. I have had informal 22 conversations again in passing when people have said,</p> | <p style="text-align: right;">Page 41</p> <p>1 County was not any more specifically a priority for 2 me than any other county that I had a portion of, but 3 would I like to have had all of Adams County in my 4 map? Absolutely. 5 BY MR. BRUCE: 6 Q. And that's what happened, right? 7 A. Correct. But I have 20 counties -- I have 8 20 counties, and a number of them are portions of 9 counties. What I think is relevant is the largest 10 population center in my current district is the 11 greater Peoria area which accounts for half of my 12 congressional district's population under the current 13 map. And under the new map, that major population 14 center is now split up. 15 Q. And in fact, southern Peoria, as I 16 understand it, that was in your 18th Congressional 17 District and is no longer, is that correct? 18 A. If you -- yes. Correct. But not just 19 southern Peoria. I would argue parts of central 20 Peoria and even north Peoria depending on, you know, 21 what you consider the streets to be, but -- but yes. 22 Your definite urban core has been cut out along with</p> |

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| <p>1 quite a bit going north.</p> <p>2 Q. In the southern --</p> <p>3 MR. PANOFF: Devon, when you're at a good</p> <p>4 breaking point, can we take a five-minute break? But</p> <p>5 whenever you want to finish your line of questioning.</p> <p>6 MR. BRUCE: Let me finish a couple of</p> <p>7 these, and I'd be happy to, if that's okay.</p> <p>8 BY MR. BRUCE:</p> <p>9 Q. Congressman, with respect to the southern</p> <p>10 portion of Peoria that was no longer in the 18th</p> <p>11 Congressional District, do you agree that that was a</p> <p>12 majority of Democratic voters versus Republican</p> <p>13 voters?</p> <p>14 MR. PANOFF: Object to the form. Calls</p> <p>15 for speculation.</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. Well, I don't want you to speculate.</p> <p>18 A. I would say this. It's a portion of the</p> <p>19 city that I was elected to as a State Representative</p> <p>20 as a Republican, so to speculate as to how they vote,</p> <p>21 really I would argue, depends on who's running. But</p> <p>22 it is an overwhelmingly majority -- it is an</p> | <p>1 county votes, depending on the candidate. But I</p> <p>2 didn't have the entire county. I don't remember the</p> <p>3 exact squiggly lines, but I had a portion of Putnam</p> <p>4 County. So I don't know how the whole county votes</p> <p>5 traditionally on races. I can't really -- I mean, I</p> <p>6 have no idea really.</p> <p>7 MR. BRUCE: Why don't we take a break.</p> <p>8 MR. PANOFF: Just five minutes or so. Is</p> <p>9 that fine with you, Devon?</p> <p>10 MR. BRUCE: Sure.</p> <p>11 MR. PANOFF: Let's go off the record.</p> <p>12 (Recess.)</p> <p>13 BY MR. BRUCE:</p> <p>14 Q. Sir, did you agree with President</p> <p>15 Cullerton after you saw the map that you had the most</p> <p>16 Republican congressional district in the newly passed</p> <p>17 map?</p> <p>18 MR. PANOFF: Object to the form.</p> <p>19 THE WITNESS: Based on what I know, yes.</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. All right. Is the 18th Congressional</p> <p>22 District, in your opinion, as an experienced public</p> |
| Page 43 | Page 45 |
| <p>1 overwhelmingly minority demographic in that portion</p> <p>2 of the city.</p> <p>3 Q. And that -- and that apportionment that</p> <p>4 you're referring to is no longer in your 18th</p> <p>5 Congressional District?</p> <p>6 A. That large minority population center has</p> <p>7 been cut out of my district.</p> <p>8 Q. And last question on this line, then we</p> <p>9 can take a break. Putnam County, was Putnam County</p> <p>10 in the district that you currently represent today?</p> <p>11 A. Yes.</p> <p>12 Q. And is that in the new congressional</p> <p>13 district that was drawn and passed into law in</p> <p>14 Springfield?</p> <p>15 A. No.</p> <p>16 Q. And is that predominantly a Democratic</p> <p>17 county?</p> <p>18 MR. PANOFF: Object to the form. Calls</p> <p>19 for speculation.</p> <p>20 THE WITNESS: Well, I did not have -- when</p> <p>21 you asked me about that county, was that a largely</p> <p>22 Democratic county, I again do not know how that</p> | <p>1 official, is that district, the newly drawn 18th</p> <p>2 Congressional District advantageous for a Republican</p> <p>3 candidate such as yourself versus a Democratic</p> <p>4 candidate?</p> <p>5 MR. PANOFF: Object to the form. And,</p> <p>6 Congressman, to the extent you have any independent</p> <p>7 basis to answer that, feel free to do so. To the</p> <p>8 extent it involves any attorney-client communication,</p> <p>9 I would instruct you not to answer.</p> <p>10 THE WITNESS: You asked me whether it</p> <p>11 would be more advantageous for a Republican versus a</p> <p>12 Democrat?</p> <p>13 BY MR. BRUCE:</p> <p>14 Q. Yes, sir.</p> <p>15 A. Yes. I mean, my district, my current</p> <p>16 district is not the most Republican district in the</p> <p>17 state, so assuming that, yes, I would say it is more</p> <p>18 advantageous for a Republican -- yes, short answer,</p> <p>19 yes.</p> <p>20 Q. Okay. Thank you. Congressman, when we</p> <p>21 took a break, and feel free -- in front of you should</p> <p>22 be some maps, and this is not a memory test,</p> |

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13 (Pages 46 to 49)

| | |
|--|---|
| <p style="text-align: right;">Page 46</p> <p>1 Congressman. To answer any of my questions today, if</p> <p>2 you need to look at these maps, I believe what you</p> <p>3 have in front of you are some maps which include the</p> <p>4 map that was recently passed in Springfield into law.</p> <p>5 There also should be a map that is your current 18th</p> <p>6 Congressional District that you represent currently,</p> <p>7 right?</p> <p>8 A. Yes.</p> <p>9 Q. Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. And then there is actually a bigger one.</p> <p>12 MR. PANOFF: Is that the next page?</p> <p>13 BY MR. BRUCE: Yes. He has it in front of</p> <p>14 you. And then lastly there is a map that has been</p> <p>15 proffered by you and your fellow Congressmen. Do you</p> <p>16 see that?</p> <p>17 MR. PANOFF: No. There is an intermediate</p> <p>18 map. We have four maps before the one that we've</p> <p>19 introduced. Do you only have three, Devon?</p> <p>20 MR. BRUCE: I don't know.</p> <p>21 MR. PANOFF: Why don't we go through them</p> <p>22 so that we are on the same page. The first map you</p> | <p style="text-align: right;">Page 48</p> <p>1 Q. Okay. With respect to the map that's</p> <p>2 being proffered by you and your fellow Republican</p> <p>3 Congressmen in this lawsuit, have you ever seen that</p> <p>4 map before today?</p> <p>5 MR. PANOFF: You can answer that yes or</p> <p>6 no.</p> <p>7 THE WITNESS: Yes.</p> <p>8 BY MR. BRUCE:</p> <p>9 Q. Okay. Do you know who drew the map that's</p> <p>10 being offered by you and your fellow Republican</p> <p>11 Congressmen?</p> <p>12 MR. PANOFF: Congressman, to the extent</p> <p>13 that calls for attorney-client communications, I'm</p> <p>14 going to instruct you not to answer. If you have an</p> <p>15 independent basis, please feel free to answer it, but</p> <p>16 if everything that you know came from attorney-client</p> <p>17 communications, I'll instruct you not to answer.</p> <p>18 THE WITNESS: Yes. All I know is what I</p> <p>19 got from my attorneys, so I have no -- outside of my</p> <p>20 attorney's communication, I have no other source of</p> <p>21 information.</p> <p>22 BY MR. BRUCE:</p> |
| <p style="text-align: right;">Page 47</p> <p>1 have --</p> <p>2 THE WITNESS: I have a side by side. Is</p> <p>3 that what you wanted me to look at?</p> <p>4 MR. BRUCE: Not yet. I'm going to ask you</p> <p>5 some questions first about the map that you're</p> <p>6 currently representing, the district.</p> <p>7 BY MR. BRUCE:</p> <p>8 Q. Do you have that in front of you?</p> <p>9 A. Yes.</p> <p>10 Q. As I look at this map, Congressman, in</p> <p>11 terms of the district that you currently represent,</p> <p>12 your district only has part of Pike, Adams, Brown</p> <p>13 Knox, Woodford, Macon and Sangamon Counties, is that</p> <p>14 correct?</p> <p>15 MR. PANOFF: Object to the form.</p> <p>16 THE WITNESS: Correct.</p> <p>17 MR. PANOFF: Do you know where he is?</p> <p>18 THE WITNESS: Yes. You're talking about</p> <p>19 the current map?</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. I am.</p> <p>22 A. Yes.</p> | <p style="text-align: right;">Page 49</p> <p>1 Q. And would your answer be the same with</p> <p>2 respect to the demographic make-up of the map that is</p> <p>3 being proffered by you and your fellow Republican</p> <p>4 Congressmen in this case?</p> <p>5 MR. PANOFF: If I may, he is asking if all</p> <p>6 the demographic information regarding that map came</p> <p>7 from communications from counsel.</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. BRUCE:</p> <p>10 Q. Did you ever at any time see any draft map</p> <p>11 of the map that's being proffered in this lawsuit?</p> <p>12 MR. PANOFF: I'm going to instruct you not</p> <p>13 to answer to the extent it involves attorney-client</p> <p>14 communications.</p> <p>15 THE WITNESS: The only -- the only</p> <p>16 information I would have would come from my</p> <p>17 attorneys. I don't have any outside information.</p> <p>18 BY MR. BRUCE:</p> <p>19 Q. And under the map that's being proffered</p> <p>20 in this lawsuit, which congressional district in that</p> <p>21 map would you run in?</p> <p>22 MR. PANOFF: Objection. Calls for</p> |

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14 (Pages 50 to 53)

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|---|---|
| <p style="text-align: right;">Page 50</p> <p>1 speculation.</p> <p>2 BY MR. BRUCE:</p> <p>3 Q. If you know.</p> <p>4 A. Yes. As I stated earlier, I live in the</p> <p>5 current 18th District under the Democrats-passed map.</p> <p>6 I live in the 18th District, and under the Committee</p> <p>7 for a Fair and Balanced Map's map, I live in the 18th</p> <p>8 District. So my intention is to run in the 18th</p> <p>9 Congressional District.</p> <p>10 Q. Can you tell me, is there any member of</p> <p>11 the Democratic Party that's a plaintiff in this cause</p> <p>12 of action that you're bringing?</p> <p>13 A. Not that I'm aware of.</p> <p>14 Q. All right. And this Committee for a Fair</p> <p>15 and Balanced Map, where are they located physically?</p> <p>16 What's their address?</p> <p>17 MR. PANOFF: Object to the form. Calls</p> <p>18 for speculation.</p> <p>19 THE WITNESS: I don't know of any address.</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. Can you tell me the head of the Committee</p> <p>22 for a Fair and Balanced Map?</p> | <p style="text-align: right;">Page 52</p> <p>1 there was significantly more than the four or five</p> <p>2 names that I can come up with.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. Were there any members of the Committee</p> <p>5 for a Fair and Balanced Map that you know to be a</p> <p>6 member of the Democratic Party?</p> <p>7 MR. PANOFF: Object to the form. Calls</p> <p>8 for speculation.</p> <p>9 THE WITNESS: I did not recognize most of</p> <p>10 those names.</p> <p>11 BY MR. BRUCE:</p> <p>12 Q. How many meetings of the Committee for a</p> <p>13 Fair and Balanced Map have you been to?</p> <p>14 MR. PANOFF: Object to the form.</p> <p>15 THE WITNESS: I'm not aware of any</p> <p>16 official meetings that I've been to.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. How many fundraisers have you been to?</p> <p>19 MR. PANOFF: You mean for the committee?</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. Sure.</p> <p>22 A. I believe I've been to one.</p> |
| <p style="text-align: right;">Page 51</p> <p>1 MR. PANOFF: Objection. Foundation.</p> <p>2 Calls for speculation.</p> <p>3 THE WITNESS: I believe it's -- I believe</p> <p>4 the chairperson is Lynn Martin. But then there is a</p> <p>5 whole bunch of people, I think, that make it up.</p> <p>6 BY MR. BRUCE:</p> <p>7 Q. And tell me who you understand makes it</p> <p>8 up?</p> <p>9 A. Well, I'm most familiar with the former</p> <p>10 members of Congress, so I would say Lynn Martin, I</p> <p>11 believe Denny Hastert and I believe Tom Ewing. But</p> <p>12 that's all I can --</p> <p>13 Q. I'm sorry. I didn't mean to interrupt</p> <p>14 you, Congressman.</p> <p>15 A. That's all I can recall right now.</p> <p>16 Q. I take it at some point in time, you've</p> <p>17 seen a list of the members of the committee, is that</p> <p>18 correct?</p> <p>19 MR. PANOFF: Object to the form.</p> <p>20 THE WITNESS: Yes. I've seen a list I'm</p> <p>21 sure at some point, but I do not recall anyone else</p> <p>22 on the list. I think it was a rather -- I mean,</p> | <p style="text-align: right;">Page 53</p> <p>1 Q. And where was that?</p> <p>2 A. It was in a -- I believe a suburb of</p> <p>3 Chicago.</p> <p>4 Q. And where was it physically located, in a</p> <p>5 restaurant?</p> <p>6 A. I believe it was at the home -- it was at</p> <p>7 a private home.</p> <p>8 Q. And whose home was that?</p> <p>9 A. I do not remember his name.</p> <p>10 Q. Well, did you get an invitation to go</p> <p>11 there?</p> <p>12 A. Yes. But I don't remember. I actually</p> <p>13 believe I was on the invitation. I don't know. I</p> <p>14 don't remember.</p> <p>15 Q. And can you tell me who did you recognize</p> <p>16 at the fundraiser that was a Democrat?</p> <p>17 MR. PANOFF: Object to the form. Calls</p> <p>18 for speculation.</p> <p>19 THE WITNESS: I -- you're assuming I</p> <p>20 recognized anyone. I do not know people's parties.</p> <p>21 I mean, first of all, what does a Democrat look like?</p> <p>22 BY MR. BRUCE:</p> |

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| Page 54 | Page 56 |
|---|--|
| <p>1 Q. Did you recognize --</p> <p>2 A. I mean, you're talking about somebody that</p> <p>3 never under any circumstances under any -- under any</p> <p>4 reason would ever vote for a Republican or what?</p> <p>5 Q. Yes. Well, you bring up a good point.</p> <p>6 Did you see a lot of current and former elected</p> <p>7 officials there at the fundraiser?</p> <p>8 MR. PANOFF: Object to the form.</p> <p>9 THE WITNESS: I saw many of my colleagues</p> <p>10 in the House that I serve with, but they were by far</p> <p>11 outnumbered by the people who were there in</p> <p>12 attendance paying, I'm assuming. In other words, it</p> <p>13 wasn't -- it wasn't a party for elected officials.</p> <p>14 BY MR. BRUCE:</p> <p>15 Q. All right. How many of your fellow</p> <p>16 colleagues from the House were there at the party?</p> <p>17 MR. PANOFF: Object to form and</p> <p>18 foundation.</p> <p>19 THE WITNESS: I would say again not</p> <p>20 knowing exactly, I would say, first of all, I didn't</p> <p>21 see everybody that was at the party, so I would say</p> <p>22 there were probably four, five maybe.</p> | <p>1 Q. Now, are you a member of the Committee for</p> <p>2 a Fair and Balanced Map yourself?</p> <p>3 A. Yes.</p> <p>4 Q. Or do you know? Okay. Can you tell me,</p> <p>5 other than Lynn Martin, who are the officers of the</p> <p>6 committee?</p> <p>7 MR. PANOFF: Object to the form.</p> <p>8 Foundation. Calls for speculation.</p> <p>9 THE WITNESS: I'm not aware.</p> <p>10 BY MR. BRUCE:</p> <p>11 Q. Can you tell me who the vice chairperson</p> <p>12 is or the treasurer or the secretary of this</p> <p>13 committee that you are a member of?</p> <p>14 MR. PANOFF: Object to form. Form.</p> <p>15 Foundation. Calls for speculation. Asked and</p> <p>16 answered.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. Go ahead.</p> <p>19 A. Well, those are the officers, correct?</p> <p>20 Q. Typically in an organization, right, you</p> <p>21 have a chairperson or president, you have vice</p> <p>22 president, chairperson, treasurer, secretary. I'm</p> |
| Page 55 | Page 57 |
| <p>1 BY MR. BRUCE:</p> <p>2 Q. And which of those members were Democrats?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 Foundation.</p> <p>5 THE WITNESS: I do not recall seeing one</p> <p>6 of my Democratic House colleagues at the event.</p> <p>7 BY MR. BRUCE:</p> <p>8 Q. Do you know if they were invited?</p> <p>9 MR. PANOFF: Object to form. Foundation.</p> <p>10 THE WITNESS: I do not know that.</p> <p>11 BY MR. BRUCE:</p> <p>12 Q. And when was this party in the suburbs?</p> <p>13 A. I would say in the month of August, of</p> <p>14 2011.</p> <p>15 Q. I'd like you to tell me the names of the</p> <p>16 employees of the Committee for a Fair and Balanced</p> <p>17 Map that you're aware of.</p> <p>18 MR. PANOFF: Object to the form.</p> <p>19 Foundation.</p> <p>20 THE WITNESS: I'm not aware -- I have not</p> <p>21 had interaction with the employees that I'm aware of.</p> <p>22 BY MR. BRUCE:</p> | <p>1 just asking, other than Lynn Martin, who else do you</p> <p>2 know fills those roles?</p> <p>3 MR. PANOFF: Same objections.</p> <p>4 THE WITNESS: No one. I don't know.</p> <p>5 BY MR. BRUCE:</p> <p>6 Q. Was it your feeling that the -- based upon</p> <p>7 your experience in elected office and not based on</p> <p>8 anything that you have learned from your lawyers, is</p> <p>9 it your opinion that the congressional district lines</p> <p>10 that were drawn and passed into law in the new map</p> <p>11 were drawn for partisan reasons?</p> <p>12 MR. PANOFF: Object to the form and</p> <p>13 foundation, and I'd reiterate in his question, he is</p> <p>14 not asking for any communications with counsel.</p> <p>15 THE WITNESS: I have no idea why the lines</p> <p>16 were drawn the way they were.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. Other than what your lawyers have told you</p> <p>19 and other than what you and I have discussed here</p> <p>20 today in your deposition, do you have any other</p> <p>21 knowledge about how the congressional district map</p> <p>22 that was passed into law in Springfield was made?</p> |

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1 A. No.

2 Q. Congressman, thank you for your time
3 today. I appreciate it. And look forward to seeing
4 you again sometime.

5 MR. PANOFF: We'll reserve on signature.

6 MR. BRUCE: Thank you.

7 (Whereupon, at 4:42 p.m., the taking of
8 the deposition ceased.)

9

10

11 _____
Signature of the Witness

12

13 SUBSCRIBED AND SWORN to before me this _____ day
14 of _____, 2011.

15

16

17 _____
NOTARY PUBLIC

18 My Commission expires: _____

19

20

21

22

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

COMMITTEE FOR A FAIR AND)
BALANCED MAP, JUDY)
BIGGERT, ROBERT J. DOLD,)
RANDY HULTGREN, ADAM)
KINZINGER, DONALD)
MANZULLO, PETER J. ROSKAM,)
BOBBY SCHILLING, AARON)
SCHOCK, JOHN M. SHIMKUS,)
JOE WALSH, RALPH RANGEL,)
LOU SANDOVAL, LUIS SANABRIA,)
MICHELLE CABALLERO,)
EDMUND BREZINSKI, and)
LAURA WAXWEILER,)

No. 1:11-cv-5065

Plaintiffs,)

vs.)

ILLINOIS STATE BOARD OF)
ELECTIONS, WILLIAM A.)
MCGUFFAGE, JESSE R.)
SMART, BRYAN A. SCHNEIDER,)
BETTY J. COFFRIN,)
HAROLD D. BYERS,)
JUDITH C. RICE,)
CHARLES W. SCHOLZ, and)
ERNEST L. GOWEN,)

Defendants.)

The videotaped deposition of
CONGRESSMAN PETER ROSKAM, called by the Defendants,
for examination, taken pursuant to notice, taken
before CARYL L. HARDY, a Notary Public within and
for the County of Cook, State of Illinois, and a
Certified Shorthand Reporter of said state, ta

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EXHIBIT

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| <p style="text-align: right;">Page 2</p> <p>1 at 70 West Madison Street, 55th Floor, Chicago, 2 Illinois, at the hour of 2:47 p.m., on the 29th day 3 of September, A.D., 2011.</p> <p>4</p> <p>5 A P P E A R A N C E S:</p> <p>6</p> <p>7 MAYER BROWN, LLP, 8 71 South Wacker Drive 9 Chicago, Illinois 60606 10 (312) 782-0600 11 BY: MS. LORI E. LIGHTFOOT and 12 MR. THOMAS V. PANOFF, 13 14 Appeared on behalf of the Plaintiffs; 15 16 POWER, ROGERS, & SMITH, P.C., 17 70 West Madison Street 18 55th Floor 19 Chicago, Illinois 60602 20 (312) 236-9381 21 BY: MR. DEVON C. BRUCE, 22 23 Appeared on behalf of the Defendants. 24</p> <p>17 ALSO PRESENT: 18 Mr. Jim Ross - Videographer 19 20 21 22 23 24</p> | <p style="text-align: right;">Page 4</p> <p>1 THE VIDEOGRAPHER: Recording. 2 For the record, my name is Jim Ross of 3 Video Instanter. I am the videorecording device 4 operator for this deposition. My business address 5 is 161 North Clark Street, Suite 4975, Chicago, 6 Illinois, 60601. 7 This deposition is being videorecorded 8 pursuant to Federal Rule 30 and all other 9 applicable rules. 10 We are at 70 West Madison Street, 11 Suite 5500, Chicago, Illinois, 60601, to take the 12 videotaped deposition of Peter Roskam in the matter 13 of the Committee for a Fair and Balanced Map, 14 et al., versus the Illinois State Board of 15 Elections, et al., case number 11-5065 in the 16 United States District Court for the Northern 17 District of Illinois, Eastern Division. Today's 18 date is September 29th, 2011. The time is 19 2:47 p.m. 20 This deposition is being videotaped on 21 behalf of the Defendant. It is being taken at the 22 instance of the Defendant. 23 Will the attorneys present please 24 introduce themselves for the record?</p> |
| <p style="text-align: right;">Page 3</p> <p>1 I N D E X 2 EXAMINATION OF CONGRESSMAN PETER ROSKAM 3 By Mr. Bruce..... 5 4 5 6 EXHIBITS MARKED 7 Roskam Deposition Exhibit No. 1.....27 8 Roskam Deposition Exhibit No. 2.....27 9 Roskam Deposition Exhibit No. 3.....43 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p> | <p style="text-align: right;">Page 5</p> <p>1 MR. BRUCE: Devon Bruce as Special 2 Assistant Attorney General on behalf of the 3 Defendants. 4 MR. PANOFF: Tom Panoff on behalf of the 5 Plaintiffs and the witness. 6 MS. LIGHTFOOT: Lori Lightfoot on behalf 7 of the Plaintiffs and Congressman Roskam. 8 THE VIDEOGRAPHER: Will the court reporter 9 please swear in the witness? 10 (The witness was duly sworn.) 11 MR. BRUCE: Let the record reflect that 12 this is the deposition of Congressman Peter Roskam 13 taken pursuant to the Federal Rules of Civil 14 Procedure and continued by the parties pursuant to 15 notice. 16 CONGRESSMAN PETER ROSKAM, 17 called as a witness herein, having been first duly 18 sworn, was examined upon oral interrogatories, and 19 testified as follows: 20 DIRECT EXAMINATION 21 BY MR. BRUCE: 22 Q. Congressman, could you please state your 23 first and last name and spell your last name for 24 the record, please?</p> |

Page 6

1 A. Peter Roskam, R-o-s-k-a-m.
2 Q. It's my understanding, Congressman, that
3 you've been through the deposition process on a
4 number of occasions in the past; is that true?

5 A. That's true.

6 Q. All right. I'm just going to ask you a
7 series of questions today. You are one of the
8 individuals that has brought, as I understand it, a
9 lawsuit against the Illinois Board of Elections,
10 and as a result, I asked that -- and you've been
11 identified as a witness that may testify at trial
12 which is why I asked to take your deposition here
13 today.

14 If at any time you don't understand a
15 question that I ask, just tell me, and I'll be
16 happy to rephrase it.

17 We can take a break at any time as long as
18 there's not a question pending.

19 Despite the fact that the deposition is
20 being videotaped, it's important that you answer
21 out loud and audibly for the court reporter.

22 And I don't have any doubt, Congressman,
23 that you are going to anticipate the vast majority
24 of my questions before I finish asking them, but

Page 7

1 it's important that you let me finish asking my
2 question before you begin your answer. Otherwise,
3 we'll be talking over one other. Okay?

4 A. Okay.

5 Q. And lastly, if at any time you don't
6 understand a question, just tell me, and I'll be
7 happy to rephrase it.

8 A. Understand.

9 Q. Let me just get some general background
10 information.

11 What city do you live in, Congressman?

12 A. Wheaton, Illinois.

13 Q. Okay. And do you have any plans on moving
14 from Wheaton anytime in the next year?

15 A. No.

16 Q. And why don't you tell me a little bit
17 about your background?

18 Where did you go to undergraduate?

19 A. Undergraduate degree from the University
20 of Illinois at Champaign, a law degree from IIT
21 Chicago Kent College of Law; spent time on Capitol
22 Hill as a staffer and served in the Illinois House,
23 Illinois Senate, and now a U.S. representative.

24 Q. And did you practice any election law when

Page 8

1 you were a practicing attorney?

2 A. No.

3 Q. Were you involved in any redistricting
4 litigation during the time that you were a
5 practicing attorney?

6 A. No.

7 Q. Have you been named in any other
8 redistricting litigation other than the instant
9 case that we're here for today?

10 A. No.

11 Q. With respect to your Congressional
12 experience, I just want to briefly talk about your
13 role in government, and I want to go back to when
14 you were first elected to office.

15 When was that that you were first elected?

16 A. To any office?

17 Q. Yes, sir.

18 A. I was elected to the Illinois House in
19 1992.

20 Q. And then you served in the House for how
21 many terms?

22 A. I served three terms.

23 Q. Okay. And so that brings us up to what,
24 1998?

Page 9

1 A. 1999. Then I ran unsuccessfully for the
2 U.S. House of Representatives. I was out of public
3 service for a year. I was appointed to the state
4 Senate in 2000.

5 Q. And with respect to the unsuccessful
6 election, what district did you run in at that
7 time?

8 A. The 13th.

9 Q. And who was it that beat you -- was it a
10 primary?

11 A. It was a primary. I was beat by a fellow
12 Plaintiff, Judy Biggert.

13 Q. You and she are friends now.

14 In any event, you were appointed to the
15 state Senate -- I'm sorry -- Congressman, at what
16 time?

17 A. January 2000.

18 Q. And then what happened after that?

19 A. I ran for the United States House of
20 Representatives in the sixth district.

21 Q. In what year?

22 A. 2006.

23 Q. And you won?

24 A. That's right.

| | |
|---|--|
| <p style="text-align: right;">Page 10</p> <p>1 Q. And who was your general opponent that</p> <p>2 year, do you remember?</p> <p>3 A. Tammy Duckworth.</p> <p>4 Q. And have you served in the Congress since</p> <p>5 that time in 2006?</p> <p>6 A. Yes.</p> <p>7 Q. And you're currently in leadership?</p> <p>8 A. Yes.</p> <p>9 Q. In what position?</p> <p>10 A. Chief deputy whip.</p> <p>11 Q. Have you always been a Congressman sixth</p> <p>12 district?</p> <p>13 A. Yes.</p> <p>14 Q. Now, sir, did you play any role at all in</p> <p>15 the redistricting process for the map that was</p> <p>16 passed in Illinois in 2011?</p> <p>17 MS. LIGHTFOOT: Object to the form.</p> <p>18 BY THE WITNESS:</p> <p>19 A. Could you give me -- what are you asking</p> <p>20 me? I mean, it's a very broad question.</p> <p>21 BY MR. BRUCE:</p> <p>22 Q. It is a broad question and I -- I'm trying</p> <p>23 to -- I don't want to take up your time,</p> <p>24 Congressman.</p> | <p style="text-align: right;">Page 12</p> <p>1 BY THE WITNESS:</p> <p>2 A. Yes.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. Okay. Who did you speak to?</p> <p>5 A. Senate President John Cullerton.</p> <p>6 Q. Okay. Anyone else?</p> <p>7 A. Not that I recall.</p> <p>8 Q. And was that -- when was the</p> <p>9 conversation -- did you have one conversation with</p> <p>10 President Cullerton or more than one?</p> <p>11 A. More than one.</p> <p>12 Q. How many?</p> <p>13 A. Two to my recollection.</p> <p>14 Q. And were those in person or over the</p> <p>15 phone?</p> <p>16 A. Over the phone.</p> <p>17 Q. Both of them?</p> <p>18 A. Both of them.</p> <p>19 Q. And when was the first conversation?</p> <p>20 A. I don't recall.</p> <p>21 Q. Do you have any notes of that conversation?</p> <p>22 A. No.</p> <p>23 Q. Did you have any -- at any time have you</p> <p>24 either generated or received any correspondence,</p> |
| <p style="text-align: right;">Page 11</p> <p>1 A. I've got time.</p> <p>2 Q. Okay. Did you yourself play any firsthand</p> <p>3 role in drawing any of the lines on the</p> <p>4 Congressional map that was ultimately adopted in</p> <p>5 2011?</p> <p>6 A. By firsthand role, do you mean offering</p> <p>7 amendments as a member of the Illinois General</p> <p>8 Assembly or the Illinois Senate? No. I wasn't a</p> <p>9 member of the legislature.</p> <p>10 Q. And that's what I understood. The map</p> <p>11 that you're taking issue with was passed by the</p> <p>12 Illinois legislature and signed by the Illinois</p> <p>13 governor; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Okay. What I'm getting at -- and I'm not</p> <p>16 trying to be, you know, ev- -- I'm just trying to</p> <p>17 directly address the issue. Did you have any role</p> <p>18 at all in creating the map that was ultimately</p> <p>19 adopted?</p> <p>20 A. No.</p> <p>21 Q. Okay. Did you speak to anyone that had a</p> <p>22 direct role in adopting the map that you're taking</p> <p>23 issue with?</p> <p>24 MS. LIGHTFOOT: Object to the form.</p> | <p style="text-align: right;">Page 13</p> <p>1 emails, notes, or any other tangible item with</p> <p>2 respect to the redistricting of the map that you're</p> <p>3 now taking issue with --</p> <p>4 A. No.</p> <p>5 Q. -- other than possibly from counsel? Go</p> <p>6 ahead.</p> <p>7 MS. LIGHTFOOT: Can I just have that</p> <p>8 question read back?</p> <p>9 (Record read.)</p> <p>10 BY MR. BRUCE:</p> <p>11 Q. You understood my question other than with</p> <p>12 possibly your counsel?</p> <p>13 A. I understood it. The answer is no.</p> <p>14 Q. Okay. Back to the conversation that you</p> <p>15 had with President Cullerton, the first</p> <p>16 conversation, do you remember what month and year</p> <p>17 that occurred in?</p> <p>18 A. I recall that it was shortly before the</p> <p>19 map was passed by the General Assembly.</p> <p>20 Q. Hours, days, weeks?</p> <p>21 A. In the days/weeks.</p> <p>22 Q. And you knew President Cullerton from your</p> <p>23 time in the Senate?</p> <p>24 A. Yes.</p> |

Page 14

1 Q. Who initiated the phone call?
 2 A. Senator Cullerton.
 3 Q. And what did he say to you and what did
 4 you say to him in that conversation?
 5 A. My recollection is that he proposed a
 6 version of the map that would have been favorable
 7 to me personally; that he was interested in my
 8 support for that and also for me encouraging other
 9 Republicans to vote in favor of that map.
 10 I recall that he said he had been in
 11 contact with the Democratic Congressional Campaign
 12 Committee, and I recall that he said that, in his
 13 opinion, Judy Biggert, Congresswoman Biggert, was
 14 gone under any version of the map.
 15 Q. Do you remember anything else that he said
 16 to you in that conversation?
 17 A. He said that he had been in touch with
 18 Congressman Randy Hultgren. And that's my
 19 recollection.
 20 Q. What did you say to President Cullerton in
 21 that first conversation?
 22 A. I asked him about the map.
 23 Q. Did he ever provide you, either over fax
 24 or in the mail or in an email, any -- any map or

Page 15

1 draft map for you to look at?
 2 A. No.
 3 Q. You asked him about the map. And what did
 4 he say, do you remember?
 5 A. He offered to have someone come and look
 6 at the map in Springfield.
 7 Q. And what did you say to that?
 8 A. I said I'd think about it and would circle
 9 back and possibly send someone to Springfield to
 10 look at the map.
 11 Q. Did you do that ultimately?
 12 A. I did.
 13 Q. Okay. Who did you send?
 14 A. I sent my chief of staff, Steven Moore.
 15 Q. M-o-o-r-e?
 16 A. That's right.
 17 Q. Is there anything else that you remember
 18 about that conversation with President Cullerton
 19 that you have not told us here today?
 20 A. Not that I recall.
 21 Q. Do you know, for example, what was it
 22 about the map that Congressman -- that President
 23 Cullerton was talking to you about that was
 24 favorable to you personally?

Page 16

1 A. A map that, in his opinion -- a district
 2 that, in his opinion, I could win. He expressed a
 3 certain amount of flexibility in how the -- how the
 4 districts were being fashioned and that if I was
 5 able to get Republican support for the map, then he
 6 would be able to put me in a map -- put me in a
 7 district that was favorable to me.
 8 Q. Well, that was nice of him.
 9 Is there anything else about that
 10 conversation that you have -- that you recall that
 11 you've not told me about here today?
 12 A. Not that I recall.
 13 Q. Is there anything that would refresh your
 14 recollection?
 15 A. No.
 16 Q. You had a subsequent conversation with
 17 President Cullerton?
 18 A. I did.
 19 Q. What month and year was that? It was
 20 2011.
 21 A. It was 2011.
 22 Q. Yeah. What month was that?
 23 A. It was subsequent, so within the same time
 24 frame generally.

Page 17

1 Q. So would this have all been occurring in
 2 March or April or May? I mean, can you narrow it
 3 down for a month?
 4 A. I -- it was imminent to the House and the
 5 Senate acting. I don't have a recollection as we
 6 sit here today about what -- what month or what
 7 week that was, but it was -- it was imminent to
 8 that.
 9 Q. Within days?
 10 A. Within days.
 11 Q. Okay. And by the way, was anyone in your
 12 office when you spoke to Congress -- President
 13 Cullerton?
 14 A. Not on the first conversation that --
 15 Q. Okay.
 16 A. -- we just talked about.
 17 Q. Okay. And do you know if you were on the
 18 speakerphone or if there was anyone else that was a
 19 witness to the conversation at his end of the
 20 telephone?
 21 A. I don't know.
 22 Q. All right. Tell me about the second
 23 conversation. Did he call you, or did you call
 24 him?

Page 18

1 A. Representative Randy Hultgren and I called
 2 President Cullerton.
 3 Q. From Washington?
 4 A. From Washington.
 5 Q. And was there any -- were you on a
 6 speakerphone?
 7 A. I don't recall.
 8 Q. Okay. And what did you say to President
 9 Cullerton in that telephone conversation?
 10 A. We essentially declined his offer.
 11 Q. You and Congressman Hultgren?
 12 A. That's right.
 13 Q. Why?
 14 A. It didn't seem like a good idea.
 15 Q. What didn't?
 16 A. The offer to find Republican votes on
 17 President Cullerton's proposed map.
 18 Q. And you understood he was willing to work
 19 with you and Congressman Hultgren in terms of
 20 moving the district lines based upon the original
 21 conversation?
 22 A. Yes.
 23 Q. Other than declining his offer, can you
 24 tell me anything else that you said to him or that

Page 19

1 Congressman Hultgren said to President Cullerton in
 2 that second conversation that you had?
 3 A. There was a reluctance that we expressed
 4 about not being able to see the map in its
 5 totality. In other words, we were shown
 6 information only about the proposed districts that
 7 we would run in, but there was no sense of seeing
 8 the larger picture.
 9 Q. Anything else that you said to President
 10 Cullerton or that he said to you that you can
 11 recall in that conversation?
 12 A. Not that I recall.
 13 Q. Would there be anything that would refresh
 14 your recollection?
 15 A. No.
 16 Q. And at this point, had you seen any map or
 17 draft map?
 18 A. Any map from the -- from Senator Cullerton?
 19 Q. Yes, sir.
 20 A. No.
 21 Q. Well, had you seen any map from anyone at
 22 this point?
 23 A. No.
 24 Q. Now, other than President Cullerton, did

Page 20

1 you ever speak to anyone that you understand that
 2 had any involvement at all -- strike that.
 3 Did you ever speak to any other state
 4 legislator about the redistricting process other
 5 than two those conversations that you had with
 6 President Cullerton?
 7 A. No.
 8 Q. Did you ever speak to any state
 9 legislative staff at any time regarding this
 10 legislative process?
 11 A. No.
 12 Q. And by that, I mean the redistricting
 13 process.
 14 A. I understood.
 15 Q. Okay. You told me about your chief of
 16 staff going down to Springfield?
 17 A. That's right.
 18 Q. Did he do that once or more than once?
 19 A. Once.
 20 Q. And did he obtain any documents for you to
 21 review?
 22 A. No.
 23 Q. And I take it you talked to Mr. Moore
 24 either while he was down there or after he came

Page 21

1 back?
 2 A. Correct.
 3 Q. And what did he -- did he call you while
 4 he was there or after he came back?
 5 A. My memory is that he called me while he
 6 was there.
 7 Q. All right. What did he say to you and
 8 what did you say to him in that conversation?
 9 A. I don't recall the details. I recall the
 10 essence which was he was invited in by Senator
 11 Cullerton to what was described as a map room. He
 12 was able to see only the proposed sixth district
 13 map and was not able to see the totality of the
 14 map. He was not allowed to take notes. And
 15 that -- that's the -- that's the essence of the
 16 conversation.
 17 Q. Do you remember anything else that
 18 Mr. Moore said to you or you said to him about his
 19 involvement in seeing the proposed sixth district
 20 map?
 21 A. No.
 22 Q. Do you remember any comments he made about
 23 where the boundaries were or anything of that
 24 nature?

Page 22

1 A. No.

2 Q. To your knowledge, did Mr. Moore speak to

3 anyone in Springfield at any time himself about the

4 redistricting and how the lines were drawn?

5 MS. LIGHTFOOT: Beyond what he's just

6 testified to?

7 MR. BRUCE: Well, I don't think he

8 testified that he talked to anybody.

9 BY MR. BRUCE:

10 Q. Did Mr. Moore, to your knowledge, talk to

11 anybody when he was in President Cullerton's --

12 A. I don't know.

13 Q. Okay. I --

14 A. I interrupted. Go ahead and ask the

15 question.

16 Q. Yeah. I understood you to say that

17 Mr. Moore was shown the proposed sixth district map

18 in the map room; is that correct?

19 A. That's my understanding.

20 Q. That's what he told you?

21 A. That's correct.

22 Q. Was it your understanding that Mr. Moore

23 spent any time talking to President Cullerton about

24 the substance of the map issue at all?

Page 23

1 A. I understand that they had a conversation.

2 I don't know the duration of it.

3 Q. Okay. And you don't know what they talked

4 about?

5 A. They talked about the -- what I

6 essentially relayed to you a couple minutes ago.

7 Q. He's able to see the proposed map and he

8 can't take any notes?

9 A. That's right.

10 Q. Anything else that you recall that

11 Mr. Moore told you?

12 A. Not that I can recall.

13 Q. Sir, do you know who -- which individuals

14 ultimately drew the map that was adopted in

15 Springfield and passed into law?

16 A. I don't know.

17 Q. Do you know the intent of any of the

18 individuals in terms of why they put various

19 Congressional lines and boundaries in the map that

20 was ultimately adopted?

21 MS. LIGHTFOOT: Object.

22 BY THE WITNESS:

23 A. Are you asking am I in the minds of those

24 people?

Page 24

1 BY MR. BRUCE:

2 Q. No. Do you have any firsthand knowledge

3 as to the intent of any of the individuals that

4 actually created the map that was passed in

5 Springfield?

6 A. No.

7 Q. Has anybody ever told you at any time that

8 the Congressional lines were drawn to intentionally

9 discriminate against any minority?

10 MS. LIGHTFOOT: You can answer that

11 question yes or no.

12 BY THE WITNESS:

13 A. No.

14 BY MR. BRUCE:

15 Q. Has anyone ever told you at any time that

16 the Congressional map that was ultimately adopted

17 and passed in Illinois was intentionally drawn to

18 discriminate against Latinos?

19 MS. LIGHTFOOT: You can answer that

20 question yes or no.

21 BY THE WITNESS:

22 A. No.

23 BY MR. BRUCE:

24 Q. If you -- Congressman, I want to turn to a

Page 25

1 different kind of -- line of questions. Well,

2 before we do, have I exhausted your recollection of

3 conversations with anyone that was involved in

4 drawing the map that was ultimately passed into

5 law, or are there other conversations that you had

6 that we have not talked about here today?

7 MS. LIGHTFOOT: One moment. Can you have

8 that read back to me, please?

9 (Record read.)

10 MS. LIGHTFOOT: Counsel, is your question

11 with the caveat outside of any privileged

12 communications, or are you -- are you including

13 that as well?

14 MR. BRUCE: I -- in fairness to me, I

15 think I'm asking about any conversations.

16 MS. LIGHTFOOT: All right. I'm going to

17 instruct you, Congressman Roskam, that you can

18 answer the question yes or no as to if you had any

19 other conversations and we'll take it step-by-step

20 because I think the question intentionally imposes

21 upon privileged communications.

22 THE WITNESS: Could you ask me the

23 question again?

24 MR. BRUCE: I think it was a good one,

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1 Congressman, so I'll have her read it back.
 2 THE WITNESS: Okay.
 3 MR. BRUCE: Sometimes if they're not good,
 4 I rephrase. I think it's a decent one. She'll
 5 read it back, and you'll tell me whether it's
 6 decent or not.
 7 (Record read.)
 8 BY THE WITNESS:
 9 A. I'm confused by your question. Are you
 10 asking me about people in Springfield that have --
 11 that drew the map --
 12 BY MR. BRUCE:
 13 Q. Yes.
 14 A. -- or the entire universe of people?
 15 Q. The people in Springfield.
 16 A. We've exhausted my memory.
 17 Q. Okay. I just want to be clear. What I'm
 18 asking you is, have you now told me today all of
 19 the conversations that you can recall with anyone
 20 that was in any way potentially involved in drawing
 21 the map that you're taking issue with here today?
 22 A. Yes. We've exhausted my memory.
 23 Q. And is there any document, email, or
 24 correspondence that would refresh your recollection

Page 27

1 about any other conversations that you may have had
 2 with anyone that was in any way involved in the
 3 map-making process?
 4 A. No.
 5 Q. There's nothing that would refresh your
 6 recollection; is that correct?
 7 A. That's correct.
 8 (Roskam Deposition Exhibit Nos. 1 and
 9 2 marked for identification, 9-29-11.)
 10 BY MR. BRUCE:
 11 Q. Okay. I'd like to talk to you now
 12 about -- briefly about some of these -- the
 13 districts.
 14 As I understand it, if you turn to that
 15 little booklet that I gave you, Exhibit Number 2,
 16 that's the district -- the Sixth Congressional
 17 District that you currently represent; is that
 18 correct?
 19 A. That's correct.
 20 Q. Okay. And then what should be tabbed as
 21 Exhibit -- well, attached to Exhibit Number 2,
 22 there's a third page. And is that the district
 23 that was passed into law representing the new Sixth
 24 Congressional District?

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1 A. I'm not sure I'm following you.
 2 MS. LIGHTFOOT: So if I may, counsel --
 3 MR. BRUCE: Yeah, absolutely.
 4 MS. LIGHTFOOT: -- direct him?
 5 THE WITNESS: This?
 6 BY MR. BRUCE:
 7 Q. Yes.
 8 A. Right. This is my understanding of the
 9 map that passed in Springfield.
 10 Q. Okay.
 11 A. The sixth district.
 12 Q. Okay. And do you live in the newly-passed
 13 Sixth Congressional District?
 14 A. Yes.
 15 Q. And are there any other sitting
 16 Congressmen that are currently in the new Sixth
 17 Congressional District?
 18 A. No.
 19 Q. Are there any Democratic Congressmen that
 20 are in the new Sixth Congressional District?
 21 A. No.
 22 Q. Do you intend on running for Congress
 23 during the next term?
 24 A. Yes.

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1 Q. And will you be running in the Sixth
 2 Congressional District if this map is upheld?
 3 MS. LIGHTFOOT: Object to the form,
 4 relevance.
 5 BY MR. BRUCE:
 6 Q. Do you understand my question?
 7 A. Yes. I understand your question. Yes, I
 8 would intend to run.
 9 Q. Okay. What I'm establishing is if the --
 10 if your lawsuit is unsuccessful and the map that
 11 has been passed into law is upheld, you'll be --
 12 your intention is to run for this Congressional
 13 seat that's the new Sixth Congressional District?
 14 MS. LIGHTFOOT: Object to the form,
 15 relevance.
 16 BY THE WITNESS:
 17 A. Yes.
 18 BY MR. BRUCE:
 19 Q. And is it your understanding that you
 20 would not be running against any incumbent
 21 Congressmen?
 22 MS. LIGHTFOOT: Object to the form, calls
 23 for speculation.
 24

| | |
|--|--|
| <p style="text-align: right;">Page 30</p> <p>1 BY THE WITNESS:</p> <p>2 A. Correct.</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. All right. Have you read any -- I mean,</p> <p>5 this is something that's probably of interest to</p> <p>6 you. Have you read any newspaper articles or seen</p> <p>7 any media that would suggest that any sitting</p> <p>8 incumbent Congressman intends on running against</p> <p>9 you?</p> <p>10 MS. LIGHTFOOT: Object to the form,</p> <p>11 relevance.</p> <p>12 BY THE WITNESS:</p> <p>13 A. There was some early speculation, and I</p> <p>14 think at this point it's been reconciled and that's</p> <p>15 not likely to happen, so no.</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. And who was it that was early thought that</p> <p>18 might run against you?</p> <p>19 MS. LIGHTFOOT: Objection; relevance.</p> <p>20 BY THE WITNESS:</p> <p>21 A. Joe Walsh.</p> <p>22 BY MR. BRUCE:</p> <p>23 Q. Okay. And have you spoken to</p> <p>24 Congressman Walsh about that yourself?</p> | <p style="text-align: right;">Page 32</p> <p>1 Congressional district six map which was passed in</p> <p>2 Springfield is predominantly Republican?</p> <p>3 MS. LIGHTFOOT: Objection.</p> <p>4 BY THE WITNESS:</p> <p>5 A. Yes.</p> <p>6 BY MR. BRUCE:</p> <p>7 Q. And do you have, from any source, the</p> <p>8 knowledge of the proportion of Republicans versus</p> <p>9 Democrats in the newly-drawn sixth district?</p> <p>10 MS. LIGHTFOOT: Congressman, let me just</p> <p>11 caution you, if the answer to that question would</p> <p>12 be -- tend to reveal communications or information</p> <p>13 that you learned in the context of your privileged</p> <p>14 communication with counsel, I instruct you not to</p> <p>15 answer it. If you otherwise have an independent</p> <p>16 basis on which you can answer that question, feel</p> <p>17 free to do so.</p> <p>18 BY THE WITNESS:</p> <p>19 A. I have no other independent basis.</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. Other than what you've been told by your</p> <p>22 lawyers?</p> <p>23 A. That's right.</p> <p>24 MS. LIGHTFOOT: Object to the form of the</p> |
| <p style="text-align: right;">Page 31</p> <p>1 MS. LIGHTFOOT: Objection; relevance.</p> <p>2 BY THE WITNESS:</p> <p>3 A. No, no.</p> <p>4 BY MR. BRUCE:</p> <p>5 Q. Okay. But he said in the press he's not</p> <p>6 running against you?</p> <p>7 A. That's correct.</p> <p>8 Q. Okay. He said in the press that he's</p> <p>9 going to run against who, if anyone?</p> <p>10 MS. LIGHTFOOT: Objection; relevance.</p> <p>11 BY THE WITNESS:</p> <p>12 A. Congressman Hultgren.</p> <p>13 BY MR. BRUCE:</p> <p>14 Q. Okay. Is -- the Sixth Congressional</p> <p>15 District map that has been drawn in Springfield, do</p> <p>16 you know the breakdown of Republicans versus</p> <p>17 Democrats in that map?</p> <p>18 A. No.</p> <p>19 Q. Has anybody done an analysis on your</p> <p>20 behalf regarding that fact?</p> <p>21 A. I'm sure I've had people that have looked</p> <p>22 at it and studied it.</p> <p>23 Q. Is -- here, let me just ask you a basic</p> <p>24 question. Is it your understanding that the</p> | <p style="text-align: right;">Page 33</p> <p>1 question.</p> <p>2 BY MR. BRUCE:</p> <p>3 Q. And do you use a pollster?</p> <p>4 A. I do.</p> <p>5 Q. And do you always use the same pollster or</p> <p>6 different pollsters?</p> <p>7 A. Always the same.</p> <p>8 Q. Who do you use?</p> <p>9 A. Glen Bolger.</p> <p>10 Q. In Washington?</p> <p>11 MS. LIGHTFOOT: Object to the relevance of</p> <p>12 the question.</p> <p>13 BY THE WITNESS:</p> <p>14 A. Yes.</p> <p>15 BY MR. BRUCE:</p> <p>16 Q. Okay. When is the last time that polling</p> <p>17 agency has done any polling on your behalf?</p> <p>18 MS. LIGHTFOOT: Objection; relevance.</p> <p>19 BY THE WITNESS:</p> <p>20 A. I don't recall.</p> <p>21 BY MR. BRUCE:</p> <p>22 Q. From what you've told me, you didn't have</p> <p>23 any involvement in the drawing of the map that</p> <p>24 you're taking issue with; is that true?</p> |

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1 A. That's true.
 2 Q. Have you spoken to any Democratic
 3 Congressmen at all about either the -- the process
 4 which led to the map being adopted that you're
 5 taking issue with either before or after the map
 6 was adopted?
 7 A. Yes.
 8 Q. Who did you speak to?
 9 A. Congressman Lipinski.
 10 Q. And which Congress- -- Congressman
 11 Lipinski are you referring to, the father or the
 12 son?
 13 A. The son, Congressman Dan Lipinski.
 14 Q. Certainly.
 15 Did you have one conversation with him or
 16 more than one?
 17 A. One conversation that I recall.
 18 Q. And was that before or after the map was
 19 adopted?
 20 A. Before.
 21 Q. And who initiated that conversation?
 22 A. I did.
 23 Q. And why did you do that?
 24 A. In a playful conversation. I -- I just

Page 35

1 initiated a chat with him.
 2 Q. And was that in Congress itself?
 3 A. It was on the floor of the House of
 4 Representatives.
 5 Q. Certainly.
 6 And when was that?
 7 A. I don't recall.
 8 Q. And playfully, what did you say to him and
 9 what did he say to you about the redistricting?
 10 A. Playfully what I said was it's all about
 11 him; that he was the only member of Congress that,
 12 with any certainty, was going to be coming back to
 13 Washington; that every other member of Congress was
 14 largely interchangeable in terms of the leadership
 15 in Springfield and that he was the beneficiary of a
 16 close relationship with the Speaker of the House,
 17 Mike Madigan, and I congratulated him on his
 18 certainty in coming back.
 19 Q. And what was his response to that?
 20 A. A playful shrug.
 21 Q. He didn't -- he did not respond vocally?
 22 A. Not that I recall.
 23 Q. All right. And have you had any other
 24 conversations either with Congressman Lipinski or

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1 anyone else in the Democratic Illinois delegation
 2 about the redistricting process?
 3 A. No.
 4 Q. Have you ever spoken to any United States
 5 senators at any time about the redistricting
 6 process?
 7 A. No.
 8 Q. Have you ever spoken to Speaker Madigan,
 9 Congresswoman Schakowsky, or Senator Durbin at any
 10 time regarding the redistricting process or the map
 11 that was ultimately adopted?
 12 MS. LIGHTFOOT: Object to the form.
 13 BY THE WITNESS:
 14 A. No.
 15 BY MR. BRUCE:
 16 Q. There were a number of redistricting
 17 committee hearings here in Illinois hosted by both
 18 the House and the Senate. Let me first ask you,
 19 are you aware of that fact?
 20 A. I'm aware that there was a schedule, yes.
 21 Q. Okay. Did you attend any of those
 22 redistricting committee hearings yourself?
 23 A. No.
 24 Q. Did you ever at any time send anyone to

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1 attend those committee hearings on your behalf?
 2 A. No.
 3 Q. Did you ever at any time attempt to
 4 provide the redistricting committees with any
 5 alternative maps or information that they could
 6 rely upon to formulate a map?
 7 A. No.
 8 Q. Do you agree with me nothing would have
 9 precluded you from doing so?
 10 MS. LIGHTFOOT: Object to the form,
 11 assumes facts not in evidence.
 12 BY THE WITNESS:
 13 A. I just got confused by your question. The
 14 question is, do I agree with you that nothing would
 15 have precluded me from doing that?
 16 BY MR. BRUCE:
 17 Q. That's the question.
 18 A. Nothing would have precluded me, but it
 19 wouldn't have been very fruitful, in my view.
 20 So in answer to your question, nothing
 21 would have precluded me.
 22 Q. All right. And whether or not it would
 23 have been fruitful you don't know because you
 24 didn't do it; is that a fair statement?

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1 MS. LIGHTFOOT: Object to the form,
 2 mischaracterizes the witness' prior testimony.
 3 BY THE WITNESS:
 4 A. I think I do know. I think based on the
 5 conversations that I had with Senator Cullerton, it
 6 was clear that there was an agenda to move a map
 7 forward that was going to create a great advantage
 8 to the Democrats and they weren't interested in
 9 substantive input into it. That's why I didn't
 10 agree to reach out to Republicans to have them vote
 11 in favor of it.
 12 So could I have offered input? I could
 13 have. I think the political reality was that
 14 decisions had largely been made at that point and
 15 it wasn't fruitful.
 16 BY MR. BRUCE:
 17 Q. Do you hold an opinion, Congressman, that
 18 this map that was ultimately adopted was
 19 intentionally drawn to politically favor the
 20 Democratic Congressional delegation?
 21 A. I do.
 22 Q. And what's the basis of that opinion?
 23 A. I think Senator Cullerton's comment to me
 24 that Judy Biggert is gone under the map, the

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1 decision to put Congresswoman Biggert's home into
 2 Mike Quigley's Congressional district linking
 3 Hinsdale to the lakefront, the decision to put Bob
 4 Dold's home into Congresswoman Jan Schakowsky's
 5 district, the decision to pair up Don Manzullo and
 6 Adam Kinzinger, the decision to put Adam
 7 Kinzinger's home in Jesse Jackson's district, and
 8 the fact that no Democrats who are currently
 9 serving are in any serious jeopardy of re-election
 10 led me to my conclusion.
 11 Q. And it's your opinion that's why the map
 12 was drawn the way it was?
 13 A. Yes.
 14 Q. I'd like to switch gears, Congressman, and
 15 I'd like to ask you some questions about this
 16 committee that's one of the named Plaintiffs.
 17 Do you know anything about this committee?
 18 A. I know the committee exists. I know it's
 19 incorporated. I know a few members of the
 20 committee.
 21 Q. Are you a member of the committee?
 22 A. No.
 23 Q. Have you ever gone to any committee
 24 meetings?

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1 A. Yes.
 2 Q. How many?
 3 A. One.
 4 Q. And when and where was that?
 5 A. It was a fundraiser for the committee
 6 earlier this year.
 7 Q. Where was it?
 8 A. It was at a home on the North Side of
 9 Chicago.
 10 Q. Whose home was it in?
 11 A. It was at the home of Don Wilson.
 12 Q. And do you recall who was in attendance?
 13 A. I recall Mr. Wilson and his wife. I
 14 recall Lynn Martin. I recall Lisa Wagner. And
 15 that's -- that's all I recall.
 16 Q. And about how many people were there?
 17 A. I would estimate 30.
 18 Q. Did you recognize any Democrats that
 19 you -- individuals that you knew to be Democrats at
 20 the committee?
 21 A. No.
 22 Q. A poorly phrased question. I apologize.
 23 At the function that you were referring to, did you
 24 see anyone that you recognized to be a Democrat?

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1 A. No. I recall Judy Biggert was there.
 2 Q. And how did the committee form, if you
 3 know?
 4 A. I don't know.
 5 Q. All of the Congressmen and women who are
 6 Plaintiffs to this lawsuit are Republican; is that
 7 true?
 8 A. That's correct.
 9 Q. Are you a lifelong Republican?
 10 A. For as long as I've been politically
 11 active, yes.
 12 Q. Can you tell me the names of any
 13 individuals that are Plaintiffs that are not
 14 Republicans?
 15 A. I don't know.
 16 Q. Have you read the complaint?
 17 A. Yes.
 18 Q. Was there any aspect of the complaint that
 19 you disagreed with?
 20 A. No.
 21 Q. There's some individuals -- and I'll be
 22 happy to show you. There's some -- there's some
 23 non-Congressional named Plaintiffs. I was just
 24 going to ask you if you knew any of those

| | |
|--|--|
| <p style="text-align: right;">Page 42</p> <p>1 individuals. And I'm sorry, Congressman. For some 2 reason, that wasn't included in your packet and I 3 apologize.</p> <p>4 MS. LIGHTFOOT: Counsel, I can share 5 from --</p> <p>6 MR. BRUCE: Absolutely.</p> <p>7 MS. LIGHTFOOT: -- the previous 8 deposition --</p> <p>9 MR. BRUCE: Sure.</p> <p>10 MS. LIGHTFOOT: -- a copy.</p> <p>11 MR. BRUCE: And, Congressman, I'm sorry.</p> <p>12 BY MR. BRUCE:</p> <p>13 Q. So looking at tab Exhibit 2 to Congressman 14 Shimkus' deposition, I believe that's the complaint 15 that's been filed in this cause of action. Do you 16 recognize that?</p> <p>17 A. I do.</p> <p>18 Q. Okay. And the question is, do you know 19 any of these named Plaintiffs that are 20 non-Congressional?</p> <p>21 A. No.</p> <p>22 Q. And do you know how they were chosen to 23 become involved in this case?</p> <p>24 A. No.</p> | <p style="text-align: right;">Page 44</p> <p>1 Q. And is the map on the right, in your 2 opinion, more likely to elect Republican members to 3 Congress than the map on the left?</p> <p>4 A. Yes.</p> <p>5 Q. And what is the basis of that opinion?</p> <p>6 MS. LIGHTFOOT: Congressman, I'll just 7 caution you, if you have an independent basis 8 beyond any communications that you received in the 9 context of attorney-client communications, then 10 feel free to share that with Mr. Bruce.</p> <p>11 BY THE WITNESS:</p> <p>12 A. I don't have an independent basis.</p> <p>13 BY MR. BRUCE:</p> <p>14 Q. So from your years of serving in the 15 Illinois legislature and now in Congress, you 16 cannot look at those two maps and tell me why 17 they're more advantageous to Republicans, the one 18 on the right, other than receiving information from 19 your counsel; is that correct?</p> <p>20 A. That's correct.</p> <p>21 Q. Okay. Do you know -- strike that.</p> <p>22 Have you ever seen at any time any of the 23 demographics that correspond with the map on the 24 right that's being proffered by the Republican</p> |
| <p style="text-align: right;">Page 43</p> <p>1 (Roskam Deposition Exhibit No. 3 2 marked for identification, 9-29-11.)</p> <p>3 BY MR. BRUCE:</p> <p>4 Q. If you turn to Exhibit Number 3 to your 5 deposition --</p> <p>6 MS. LIGHTFOOT: Over here.</p> <p>7 THE WITNESS: Oh, okay.</p> <p>8 BY MR. BRUCE:</p> <p>9 Q. -- there are -- there are a couple maps. 10 Can you see those? They're black and white.</p> <p>11 A. Yes.</p> <p>12 Q. All right. If you look at the first page, 13 there's a map of the entire state of Illinois, and 14 on the left, there's a map, I believe. Is that the 15 map that was your understanding was ultimately 16 adopted?</p> <p>17 A. Yes, in Springfield.</p> <p>18 Q. Yeah. And what's the map on the right?</p> <p>19 A. The map on the right is the product of the 20 fair and balanced committee.</p> <p>21 Q. And -- well, is that the map that's -- 22 that's being proffered by the Republican 23 Congressional delegation, to your knowledge?</p> <p>24 A. Yes.</p> | <p style="text-align: right;">Page 45</p> <p>1 Congressional delegation?</p> <p>2 MS. LIGHTFOOT: You can answer that 3 question yes or no.</p> <p>4 BY THE WITNESS:</p> <p>5 A. What do you mean by demographics?</p> <p>6 BY MR. BRUCE:</p> <p>7 Q. Have you ever seen any cultural, racial 8 makeup of any of the districts that are -- 9 correspond with the -- with the map on the right of 10 Exhibit 3?</p> <p>11 A. I've not seen anything independent of 12 things that have been provided by counsel.</p> <p>13 Q. Do you have any independent knowledge of 14 the composition -- the Latino composition of these 15 Congressional districts that are being proffered on 16 the map on the right other than what your lawyers 17 have shown you?</p> <p>18 A. No.</p> <p>19 MS. LIGHTFOOT: Object to the form.</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. Do you know whether the map on the right 22 of Exhibit Number 3 provides for two majority VAP 23 Latino districts?</p> <p>24 MS. LIGHTFOOT: Object to the form.</p> |

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1 BY MR. BRUCE:

2 Q. Do you know one way or the other?

3 A. I don't know this beyond what I've been

4 told by counsel.

5 Q. Have you ever made any independent inquiry

6 of that?

7 A. No.

8 Q. Am I correct, Congressman, that -- well,

9 tell me, is there a -- strike that.

10 In your current or future Sixth

11 Congressional District, either one, the one you're

12 representing now or in the future, what's the

13 population of Latino voters over the age of 18?

14 MS. LIGHTFOOT: Object to the form,

15 foundation.

16 MR. BRUCE: If you know.

17 BY THE WITNESS:

18 A. I don't know a number off the top of my

19 head.

20 BY MR. BRUCE:

21 Q. Okay. Is it a rather small or de minimus

22 number?

23 MS. LIGHTFOOT: Object to the form and

24 calls for speculation based upon his previous

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1 answer.

2 BY MR. BRUCE:

3 Q. I don't want you to speculate. I'm

4 assuming that you know your own Congressional

5 district. Why don't we just confine my question to

6 the district that you're sitting in now, okay?

7 A. Okay.

8 Q. In that district, is the Latino population

9 small or de minimus or do you know?

10 A. I wouldn't describe it as de minimus. I

11 mean, how would you characterize de minimus?

12 Q. I don't know. I'm trying to get that -- I

13 was searching for a percentage from you, if you

14 knew.

15 A. My understanding is that it's less than

16 10 percent.

17 Q. Okay. And do you have any idea as you sit

18 here today what the newly-passed Sixth

19 Congressional District Latino population over the

20 age of 18 is?

21 A. No, not with any information beyond what

22 counsel has given me.

23 Q. All right.

24 MR. BRUCE: And are you going to allow him

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1 to answer the question of what you told him or not?

2 MS. LIGHTFOOT: Of course not.

3 MR. BRUCE: Okay.

4 BY MR. BRUCE:

5 Q. Congressman, I'm starting to wrap up.

6 Have you ever seen or been provided any

7 draft maps that -- from any source of the map that

8 was ultimately adopted in Springfield?

9 A. No.

10 MR. BRUCE: That's all the questions I

11 have. Thank you for coming down today,

12 Congressman.

13 THE WITNESS: Thank you.

14 MS. LIGHTFOOT: Reserve signature.

15 THE VIDEOGRAPHER: This is the end of tape

16 number 1. This is the end of the deposition. The

17 time is 3:27 p.m. The length of this tape is

18 41 minutes, three seconds.

19 We're off the record.

20 (AND FURTHER DEPONENT SAITH NOT.)

21

22

23

24

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1 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

2

3 COMMITTEE FOR A FAIR AND)
4 BALANCED MAP, et al.,)
5 Plaintiffs,)
6 vs.) No. 1:11-cv-5065
7 ILLINOIS STATE BOARD OF)
8 ELECTIONS, et al.,)
9 Defendants.)

10 I hereby certify that I have read the
11 foregoing transcript of my deposition given on
12 September 29, 2011, at the time and place
13 aforesaid, consisting of Pages 1 through 48
14 inclusive and I do again subscribe and make oath
15 that the same is a true, correct and complete
16 transcript of my deposition so given as aforesaid.

17

18 Please check one:
19 ☐ I have submitted errata sheet(s)
20 ☐ No corrections were noted

21

22 _____
CONGRESSMAN PETER ROSKAM

23

24 SUBSCRIBED AND SWORN TO
before me this ____ day
of _____, A.D., 2011.

Notary Public

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1 STATE OF ILLINOIS)
) SS.

2 COUNTY OF COOK)
 3

4 I, CARYL L. HARDY, Certified Shorthand
 5 Reporter No. 084-3896, Notary Public in and for the
 6 County of Cook, State of Illinois, do hereby
 7 certify that previous to the commencement of the
 8 examination, said witness was duly sworn by me to
 9 testify the truth; that the said deposition was
 10 taken at the time and place aforesaid; that the
 11 testimony given by said witness was reduced to
 12 writing by means of shorthand and thereafter
 13 transcribed into typewritten form; and that the
 14 foregoing is a true, correct, and complete
 15 transcript of my shorthand notes so taken as
 16 aforesaid.

17 I further certify that there were present
 18 at the taking of the said deposition the persons
 19 and parties as indicated on the appearance page
 20 made a part of this deposition.

21 I further certify that I am not counsel
 22 for nor in any way related to any of the parties to
 23 this suit, nor am I in any way interested in the
 24 outcome thereof.

Page 51

1 I further certify that this certificate
 2 applies to the original signed and certified
 3 transcripts only. I assume no responsibility for
 4 the accuracy of any reproduced copies not made
 5 under my control or direction.

6 IN TESTIMONY WHEREOF I have hereunto set
 7 my hand and affixed my notarial seal this 7th day
 8 of October, A.D., 2011.

9 *Caryl L. Hardy*

11 Caryl L. Hardy, CSR

12
 13 My Commission Expires
 14 January 31, 2012
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24

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1 October 7, 2011

2 Ms. Lori E. Lightfoot

3 Mayer Brown, LLP

4 71 South Wacker Drive

5 Chicago, Illinois 60606

6 Re: Committee for a Fair and Balanced Map, et al.,
 vs. IL State Board of Elections, et al.

7 Case No. 1:11-cv-5065

8 Dear Ms. Lightfoot:

9 Enclosed please find a copy of the deposition
 transcript of Congressman Peter Roskam taken in the
 10 above-captioned case on the 29th day of September,
 2011, along with the original copy of the signature
 11 page and errata sheets for the witness to sign.
 Please have the witness review his transcript, making
 12 whatever corrections he may have only on the errata
 sheets I have provided, not on the deposition
 transcript.

13 After he has reviewed his deposition, please have
 14 him sign each correction sheet, if any, at the
 bottom of the page and sign the signature pages.
 15 Then, within 30 days of today, return the original
 copy of the signature page and errata sheets, if
 16 any, to my office, keeping a copy for yourself. If
 they are not returned by said date, upon request an
 affidavit will be provided pursuant to the procedure
 17 outlined in Rule 30(e) of the Rules of Civil
 Procedure and the deposition will be completed and
 18 will be "used as fully as though signed."

19 Thank you for your cooperation in this matter. If
 20 you have any questions, please do not hesitate to
 call me.

21 Sincerely,

22 Caryl L. Hardy

23 Enclosures

24